

# Delegations Register



Updated 29 April 2025

Register of Delegated Authority

Delegations from Council to the  
Chief Executive Officer

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## INTRODUCTION

### Introduction

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

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

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

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

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

"Nothing in this Division is to read as preventing –

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

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

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

## Delegations and authorisations under other Legislation

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

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

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

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

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



## DELEGATIONS

<b>Delegation</b>	<b>1.1.1 Appointment of Acting Chief Executive Officer</b>
<b>Category</b>	Office of the CEO
<b>Head of power</b>	Part 1 - Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<b>Local Government Act 1995</b> s. 5.42 Delegation of some powers to the CEO
<b>Express power or duty delegated</b>	<b>Local Government Act 1995</b>  5.36. Local government employees (1) A local government is to employ —  ... (a) a person to be the CEO of the local government.
<b>Function</b>	Appoint a person as Acting Chief Executive Officer for a period not exceeding eight weeks.
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<p>1. Section 5.36(2)(a) of the <i>Local Government Act 1995</i> prescribes that a person is not to be employed in the position of CEO unless the Council believes that the person is suitably qualified for the position. Accordingly, Council considers the persons employed in the following positions to be suitably qualified:</p> <ul style="list-style-type: none"> <li>• Executive Director Corporate Service</li> <li>• Executive Director Development Services</li> <li>• Executive Director Technical Services</li> <li>• Executive Director Community Services</li> </ul> <p>2. The Chief Executive Officer may appoint one or more of the those Officers listed above to the role of Acting Chief Executive Officer either singularly or consecutively for a period not exceeding eight weeks at his or her discretion, to ensure and provide for best business continuity during the required period(s).</p> <p>3. Councillors will be informed by way of a memo of the arrangements for Acting Chief Executive Officer.</p>
<b>Express power to subdelegate</b>	This delegation is not to be sub-delegated.
<b>Subdelegate conditions</b>	N/A
<b>Statutory framework</b>	<i>Local Government Act 1995</i>
<b>Policy</b>	Nil.
<b>Record keeping</b>	Exercise of the authority is to be recorded in the City's records management system and Attain.



<b>Date adopted</b>	26 June 2023
<b>Adoption references</b>	CS20/6/23

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
26 Jun 2023	New delegation	N/A	CS20/6/23
24 Jun 2024	Amended delegation	Annual Review - Minor amendment (Category change from CEO Functions and Powers to "Office of the CEO")	CS33/6/24

<b>Delegation</b>	<b>1.1.2 Local Government Act 1995 - legal proceedings</b>
<b>Category</b>	Office of the CEO
<b>Head of power</b>	Part 1 - Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<b>Local Government Act 1995</b> Section 5.42 - Delegation of some powers and duties to CEO
<b>Express power or duty delegated</b>	<b>Local Government Act 1995</b> Section 9.24 - Prosecutions, commencing <b>Criminal Procedure Act 2004</b> 20(1)(b)(i) - Who can commence prosecution - public authority, where public authority means —  (a) a Minister of the State; or  (b) a department of the Public Service; or  (c) a local government or a regional local government; or  (d) a body, whether incorporated or not, or the holder of an office, being a body or office that is established for a public purpose under a written law and that, under the authority of a written law, performs a statutory function on behalf of the State;
<b>Function</b>	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.  <b>Legal proceeding</b> 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.
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	1. As determined by relevant requirements of the legislation under which the function is to be performed.  2. A memorandum to Elected Members shall be provided in the event the legal proceeding is, or expected to, result in legal service costs exceeding \$50,000.
<b>Express power to subdelegate</b>	<b>Local Government Act 1995</b> Section 5.44 - CEO may delegate some powers and duties to other employees

<b>Statutory framework</b>	<p><b>Local Government Act 1995</b></p> <p>s. 2.5 - Local Governments created as bodies corporate (6) Proceedings may be taken by or against the local government in its corporate name.</p> <p>s. 5.42 - Delegation of some powers and duties to CEO</p> <p>s. 9.24 - Prosecutions, commencing</p> <p><b>Criminal Procedure Act 2004</b></p> <p>s. 3(1) - Terms used Local government defined as a public authority for the purposes of that Act s. 20(1)(b) - Who can commence prosecution</p>
<b>Record keeping</b>	Exercise of the authority is to be recorded in the City's records management system and Attain.
<b>Date adopted</b>	26 June 2023
<b>Adoption references</b>	CS20/6/23

Amendments			
Date	Type	Amendment	References
26 Jun 2023	New delegation	N/A	CS20/6/23
24 Jun 2024	Amended delegation	Annual Review - Minor amendment (Category change from CEO Functions and Powers to "Office of the CEO")	CS33/6/24

<b>Delegation</b>	<b>1.1.3 Administration of leases and licences</b>
<b>Category</b>	Community Services Directorate
<b>Head of power</b>	Part 1 - Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<b>Local Government Act 1995</b> s. 5.42(1) - Delegation of some powers and duties to CEO
<b>Express power or duty delegated</b>	<b>Local Government Act 1995</b> s. 9.49A(4) - Execution of documents  (4) A local government may, by resolution, authorise the CEO, another employee or an agent of the local government to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation.
<b>Function</b>	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.
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	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.
<b>Express power to subdelegate</b>	<b>Local Government Act 1995</b> s. 5.44 - CEO may delegate powers and duties to other employees
<b>Statutory framework</b>	<b>Local Government Act 1995</b> s. 3.58 - Disposing of property s. 5.42 - 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 <b>Local Government (Functions and General) Regulations 1996</b> r. 30 - Dispositions of property excluded from Act s. 3.58
<b>Policy</b>	Policy - Lease and Licence
<b>Record keeping</b>	Exercise of the authority is to be recorded in the City's records management system and Attain.
<b>Date adopted</b>	26 June 2023
<b>Adoption references</b>	CS20/6/23

Amendments			
Date	Type	Amendment	References
12 Jun 2023	New delegation	Nil	C15/6/23
10 Jun 2024	Amended delegation	Annual Review	C16/6/24

<b>Delegation</b>	<b>1.1.4 Compensation for damage incurred when performing executive function</b>
<b>Category</b>	Technical Services Directorate
<b>Head of power</b>	Part 1 - Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<b>Local Government Act 1995</b> s. 5.42 - Delegation of some powers or duties to the CEO. s. 5.43 - Limitations on delegations to the CEO.
<b>Express power or duty delegated</b>	<b>Local Government Act 1995</b> s. 3.22(1) - Compensation s. 3.23 - Arbitration
<b>Function</b>	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 [Act, 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.
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	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.
<b>Express power to subdelegate</b>	<b>Local Government Act 1995</b> s. 5.44 - CEO may delegate some powers and duties to other employees
<b>Record keeping</b>	Exercise of the authority is to be recorded in the City's records management system and Attain.
<b>Date adopted</b>	26 June 2023
<b>Adoption references</b>	CS20/6/23

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
12 Jun 2023	New delegation	Nil	T2/6/23
10 Jun 2024	Amended delegation	Annual Review	T4/6/24

<b>Delegation</b>	<b>1.1.5 Power of entry</b>
<b>Category</b>	Community Services Directorate
<b>Head of power</b>	Part 1 - Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<b>Local Government Act 1995</b> s. 5.42 - Delegation of some powers or duties to the CEO
<b>Express power or duty delegated</b>	<b>Local Government Act 1995</b> 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
<b>Function</b>	<ol style="list-style-type: none"> <li>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 [Act, s. 3.31(2)]</li> <li>2. Give notice of entry [Act, s. 3.32]</li> <li>3. Seek and execute an entry under warrant [Act, s. 3.33(2)]</li> <li>4. Execute entry in an emergency, using such force as is reasonable [Act, s. 3.34(1) and (3)]</li> <li>5. Give notice of intent to open a fence [Act, s. 3.36]</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<p>The authority is to be exercised in accordance with the criteria contained within the following sections of the Act -</p> <ol style="list-style-type: none"> <li>1) General procedure for entering property [s. 3.31(1)]</li> <li>2) Notice of entry [s. 3.32]</li> <li>3) Entry under warrant [s. 3.33]</li> <li>4) Entry in emergency [s. 3.34]</li> <li>5) Opening fences [s. 3.36]</li> </ol>
<b>Express power to subdelegate</b>	<b>Local Government Act 1995</b> s. 5.44 - CEO may delegate powers and duties to other employees.
<b>Statutory framework</b>	<b>Local Government Act 1995</b> Part 3, Division 3, Subdivision 3 - prescribes statutory processes for Powers of Entry.
<b>Record keeping</b>	Exercise of the authority is to be recorded in the City's records management system and Attain.
<b>Date adopted</b>	12 June 2023
<b>Adoption references</b>	T2/6/23



Amendments			
Date	Type	Amendment	References
12 Jun 2023	New delegation	Nil	T2/6/23
16 Oct 2023	Amended delegation	Added authority to appoint authorised persons	CS45/10/23
10 Jun 2024	Amended delegation	Annual Review	C16/6/24

<b>Delegation</b>	<b>1.1.6 Declare vehicle is abandoned vehicle wreck</b>
<b>Category</b>	Community Services Directorate
<b>Head of power</b>	Part 1 - Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<b>Local Government Act 1995</b> s. 5.42 - Delegation of some powers or duties to CEO s. 5.43 - Limitations on delegations to CEO
<b>Express power or duty delegated</b>	<b>Local Government Act 1995</b> s. 3.40A Abandoned vehicle wreck may be taken
<b>Function</b>	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 [Act, s. 3.40A (2)]. Declare that an impounded vehicle is an abandoned vehicle wreck [Act, s. 3.40A(4)].
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	1. Subject to the requirements for sections 3.40A(1), (2) and (3) being undertaken as required; 2. s. 3.45 Notice to including 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 1.7 - Dealing with confiscated, impounded or uncollected goods. 4. Compliance with - r. 29A Abandoned vehicle wrecks, value etc. prescribed for [Act, s. 3.40A (5)(c)]  <b>NOTE:</b> Declared abandoned vehicle wreck may only be removed and impounded by a person duly authorised under s.3.40A(1).
<b>Express power to subdelegate</b>	<b>Local Government Act 1995</b> s. 5.44 - CEO may delegate some powers and duties to other employees.
<b>Statutory framework</b>	Part 3, Division 3, Subdivision 4 of the <i>Local Government Act 1995</i> .
<b>Record keeping</b>	Exercise of the authority is to be recorded in the City's records management system and Attain.
<b>Date adopted</b>	12 June 2023
<b>Adoption references</b>	C15/6/23

Amendments			
Date	Type	Amendment	References
12 Jun 2023	New delegation	Nil	C15/6/23
10 Jun 2024	Amended delegation	Annual Review	C16/6/24

<b>Delegation</b>	<b>1.1.7 Dealing with confiscated, impounded or uncollected goods</b>
<b>Category</b>	Community Services Directorate
<b>Head of power</b>	Part 1 - Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<b>Local Government Act 1995</b> s. 5.42 - Delegation of some powers or duties to the CEO. s. 5.43 - Limitations on delegations to the CEO
<b>Express power or duty delegated</b>	<b>Local Government Act 1995</b> 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, recover of
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Issue a notice to an alleged offender that impounded goods may be collected from a specified place at a specified time [Act, s. 3.42(1)(b) and Act s. 3.44].</li> <li>2. Authority to 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 [Act, s. 3.46].</li> <li>3. Authority to sell or otherwise dispose of confiscated or uncollected goods or vehicles that have been ordered to be confiscated under s.3.43 [Act, s. 3.47].</li> <li>4. Authority to recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods [Act, s. 3.48].</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	Nil.
<b>Express power to subdelegate</b>	<b>Local Government Act 1995</b> s. 5.44 - CEO may delegate some powers and duties to other employees.
<b>Statutory framework</b>	<b>Local Government Act 1995</b> s. 3.58 - Disposing of Property s. 3.47 - Confiscated or uncollected goods, disposal of r. 30 of the <i>Local Government (Functions and General) Regulations 1996</i> - dispositions of property excluded from Act s. 3.58
<b>Record keeping</b>	Exercise of the authority is to be recorded in the City's records management system and Attain.
<b>Date adopted</b>	12 June 2023
<b>Adoption references</b>	C15/6/23

Amendments			
Date	Type	Amendment	References
12 Jun 2023	New delegation	Nil	C15/6/23
10 Jun 2024	Amended delegation	Annual Review	C16/6/24

<b>Delegation</b>	<b>1.1.8 Disposal of sick or injured animals</b>
<b>Category</b>	Community Services Directorate
<b>Head of power</b>	Part 1 - Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<b>Local Government Act 1995</b> s. 5.42 Delegation of some powers or duties to the CEO. s. 5.43 Limitations on delegations to the CEO.
<b>Express power or duty delegated</b>	<b>Local Government Act 1995</b> s. 3.47A Sick or injured animals, disposal of s. 3.48 Impounding expenses, recover of
<b>Function</b>	<ol style="list-style-type: none"> <li>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 [Act, s. 3.47A(1)].</li> <li>2. Recover expenses incurred for removing, impounding and disposing of confiscated or uncollected goods [Act, s. 3.48]</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ol style="list-style-type: none"> <li>1) An animal must not be destroyed unless — <ol style="list-style-type: none"> <li>a) because of the state of the animal, destroying it is urgent; or</li> <li>b) reasonable steps have been taken to notify the owner and allowed the owner a reasonable opportunity to collect the animal.</li> </ol> </li> <li>2) Sub-condition (b) does not justify the destruction of an animal before it has been impounded for at least 7 days.</li> </ol>
<b>Express power to subdelegate</b>	<b>Local Government Act 1995</b> s. 5.44 CEO may delegate some powers and duties to other employees.
<b>Statutory framework</b>	<b>Local Government Act 1995</b> s. 3.47A Sick or injured animals, disposal of
<b>Record keeping</b>	Exercise of the authority is to be recorded in the City's records management system and Attain.
<b>Date adopted</b>	12 June 2023
<b>Adoption references</b>	C15/6/23

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
12 Jun 2023	New delegation	Nil	C15/6/23
10 Jun 2024	Amended delegation	Annual Review	C16/6/24

<b>Delegation</b>	<b>1.1.9 Closing certain thoroughfares to vehicles</b>
<b>Category</b>	Technical Services Directorate
<b>Head of power</b>	Part 1 - Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<b>Local Government Act 1995</b> s. 5.42 - Delegation of some powers or duties to the CEO s. 5.43 - Limitations on delegations to the CEO
<b>Express power or duty delegated</b>	<b>Local Government Act 1995</b> 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
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to close a thoroughfare (wholly or partially) to vehicles or particular classes of vehicles for a period not exceeding four weeks [Act, s. 3.50(1)].</li> <li>2. Authority to determine to close a thoroughfare for a period exceeding four weeks, and before doing so, to: <ol style="list-style-type: none"> <li>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</li> <li>b. Consider submissions relevant to the road closure(s) proposed [Act, s. 3.50(1), (2) and (4)].</li> </ol> </li> <li>3. Authority to partially and temporarily close a thoroughfare without public notice for repairs or maintenance, where it is unlikely to have significant adverse effect on users of the thoroughfare [Act, s. 3.50A].</li> <li>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 [Act, s. 3.51].</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ol style="list-style-type: none"> <li>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)].</li> <li>2. Maintain access to adjoining land [s. 3.52(3)].</li> </ol>
<b>Express power to subdelegate</b>	<b>Local Government Act 1995</b> s. 5.44 CEO may delegate some powers and duties to other employees.
<b>Statutory framework</b>	<b>Local Government Act 1995</b> 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 s. 5.42 - Delegation of some powers and duties to CEO
<b>Record keeping</b>	Exercise of the authority is to be recorded in the City's records management system and Attain.
<b>Date adopted</b>	12 June 2023
<b>Adoption references</b>	T2/6/23



Amendments			
Date	Type	Amendment	References
12 Jun 2023	New delegation	Nil	T2/6/23
10 Jun 2024	Amended delegation	Annual Review	T4/6/24

<b>Delegation</b>	<b>1.1.10 Reserves under control of the local government</b>
<b>Category</b>	Technical Services Directorate
<b>Head of power</b>	Part 1 - Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<b>Local Government Act 1995</b> s. 5.42 - Delegation of some powers or duties to the CEO s. 5.43 - Limitations on delegations to the CEO
<b>Express power or duty delegated</b>	<b>Local Government Act 1995</b> s. 3.54(1) - Reserves under control of local government
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to agree the method for control and management of an unvested facility which is partially within two or more local government districts [Act, s. 3.53(3)].</li> <li>2. Authority to do anything for the purpose of controlling and managing land under the control and management of the City, that the City could do under s.5 of the <i>Parks and Reserves Act 1895</i> [Act, s. 3.54(1)].</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	Nil.
<b>Express power to subdelegate</b>	<b>Local Government Act 1995</b> s. 5.44 - CEO may delegate some powers and duties to other employees.
<b>Statutory framework</b>	<i>Local Government Act 1995</i> <i>Parks and Reserves Act 1895</i> <i>Land Administration Act 1997</i>
<b>Record keeping</b>	Exercise of the authority is to be recorded in the City's records management system and Attain.
<b>Date adopted</b>	12 June 2023
<b>Adoption references</b>	T2/6/23

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
12 Jun 2023	New delegation	Nil	T2/6/23
10 Jun 2024	Amended delegation	Annual Review	T4/6/24

<b>Delegation</b>	<b>1.1.11 Obstruction of footpaths and thoroughfares</b>
<b>Category</b>	Technical Services Directorate
<b>Head of power</b>	Part 1 - Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<b>Local Government Act 1995</b> s. - 5.42 Delegation of some powers or duties to CEO s. - 5.43 Limitations on delegations to the CEO
<b>Express power or duty delegated</b>	<b>Local Government (Uniform Local Provisions) Regulations 1996</b> 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
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to determine, by written notice served on a person who is carrying out plastering, painting or decorating operations (the work), over or near a footpath on land that is local government property, to require the person to cover the footpath during the period specified in the notice so as to: <ol style="list-style-type: none"> <li>a. Prevent damage to the footpath; or</li> <li>b. Prevent inconvenience to the public or danger from falling materials [r. 5(2)].</li> </ol> </li> <li>2. Authority to provide permission, including imposing appropriate conditions or to refuse to provide permission, for a person to place on a specified part of a public thoroughfare, one or more specified things that may obstruct the public thoroughfare [r. 6(2) and (4)].</li> <li>3. Authority to renew permission to obstruct a thoroughfare, and to vary any condition imposed on the permission, effective at the time written notice is given to the person to whom permission is granted [r. 6(6)].</li> <li>4. Authority to require an owner or occupier of land to remove any thing that has fallen from the land, or from anything on the land, which is obstructing a public thoroughfare [r. 7A].</li> <li>5. Authority to require an owner occupier of land to remove any part of a structure, tree or plant that is encroaching, without lawful authority on a public thoroughfare [r. 7].</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ol style="list-style-type: none"> <li>1. Actions under this Delegation must comply with procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>.</li> <li>2. 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: <ol style="list-style-type: none"> <li>a. Where appropriate, obtain written permission from each owner of adjoining or adjacent property which may be impacted by the proposed obstruction.</li> <li>b. 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.</li> <li>c. Provide evidence of sufficient Public Liability Insurance.</li> <li>d. Provide pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.</li> </ol> </li> </ol>
<b>Express power to subdelegate</b>	<b>Local Government Act 1995</b> s. 5.44 - CEO may delegate some powers and duties to other employees.

<b>Statutory framework</b>	<p><b><i>Local Government (Uniform Local Provisions) Regulations 1996</i></b>  Penalties under the <i>Local Government (Uniform Local Provisions) Regulations 1996</i> are administered in accordance with Part 9, Division 2 of the <i>Local Government Act 1995</i>.</p> <p><b>Activities and Trading in Thoroughfares and Public Places Local Law</b></p>
<b>Record keeping</b>	Exercise of the authority is to be recorded in the City's records management system and Attain.
<b>Date adopted</b>	12 June 2023
<b>Adoption references</b>	T2/6/23

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
12 Jun 2023	New delegation	Nil	T2/6/23
10 Jun 2024	Amended delegation	Annual Review	T4/6/24

<b>Delegation</b>	<b>1.1.12 Public thoroughfare - dangerous excavations</b>
<b>Category</b>	Technical Services Directorate
<b>Head of power</b>	Part 1 - Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<b>Local Government Act 1995</b> s. 5.42 - Delegation of some powers or duties to the CEO s. 5.43 - Limitations on delegations to the CEO
<b>Express power or duty delegated</b>	<b>Local Government (Uniform Local Provisions) Regulations 1996</b> Reg 11(1), (4), (6) and (8) - Dangerous excavation in or near public thoroughfare
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to determine if an excavation in or on land adjoining a public thoroughfare is dangerous and take action to fill it in or fence it or request the owner/occupier in writing to fill it in or securely fence the excavation [r. 11(1)].</li> <li>2. Authority to determine to give permission or refuse to give permission, to make or make and leave an excavation in a public thoroughfare or land adjoining a public thoroughfare [r. 11(4)].</li> <li>3. Authority to impose conditions on granting permission [r. 11(6)].</li> <li>4. Authority to renew a permission granted or vary at any time, any condition imposed on a permission granted [r. 11(8)].</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ol style="list-style-type: none"> <li>1. Actions under this Delegation must comply with procedural requirements detailed in the Local Government (Uniform Local Provisions) Regulations 1996.</li> <li>2. In addition to those matters prescribed by regulation 11(6) the City may impose conditions on a permission to obstruct a thoroughfare, which may require a proponent to: <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>c. Provide evidence of sufficient Public Liability Insurance.</li> <li>d. Provide pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.</li> </ol> </li> </ol>
<b>Express power to subdelegate</b>	<b>Local Government Act 1995:</b> s.5.44 - CEO may delegate some powers and duties to other employees.
<b>Statutory framework</b>	<ol style="list-style-type: none"> <li>1. <i>Local Government (Uniform Local Provisions) Regulations 1996</i> – prescribe applicable statutory procedures.</li> <li>2. Penalties under the <i>Local Government (Uniform Local Provisions) Regulations 1996</i> are administered in accordance with Part 9, Division 2 of the <i>Local Government Act 1995</i>.</li> </ol>
<b>Record keeping</b>	Exercise of the authority is to be recorded in the City's records management system and Attain.
<b>Date adopted</b>	12 June 2023
<b>Adoption references</b>	T2/6/23

Amendments			
Date	Type	Amendment	References
12 Jun 2023	New delegation	Nil	T2/6/23
10 Jun 2024	Amended delegation	Annual Review	T4/6/24

<b>Delegation</b>	<b>1.1.13 Requirement to construct, repair or remove crossing</b>
<b>Category</b>	Technical Services Directorate
<b>Head of power</b>	Part 1 - Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<b>Local Government Act 1995</b> s. 5.42 Delegation of some powers and duties to CEO
<b>Express power or duty delegated</b>	<b>Local Government (Uniform Local Provisions) Regulations 1996</b> Regulation 12(1) - Crossing from public thoroughfare to private land or private thoroughfare – Sch. 9.1 cl. 7(2). Reg 13(1) - Requirements to construct or repair crossing – Sch. 9.1 cl. 7(3).
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to approve or refuse to approve, applications for the construction of a crossing giving access from a public thoroughfare to land or private thoroughfare serving land [r. 12(1)].</li> <li>2. Authority to determine the specifications for construction of crossings to the satisfaction of the local government [r. 12(1)(a)].</li> <li>3. Authority to give notice to an owner or occupier of land requiring the person to construct or repair a crossing [r. 13(1)].</li> <li>4. Authority to initiate works to construct a crossing where the person fails to comply with a notice requiring them to construct or repair the crossing and recover 50% of the cost of doing so as a debt due from the person [r. 13(2)].</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ol style="list-style-type: none"> <li>1. Actions under this delegation must comply with procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>.</li> <li>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.</li> <li>3. Requirements of regulation 14 – the local government cannot – (a) under regulation 12 construct or approve the construction of; or (b) under regulation 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.</li> </ol>
<b>Express power to subdelegate</b>	<b>Local Government Act 1995</b> s. 5.44 - CEO may delegate some powers and duties to other employees.
<b>Statutory framework</b>	<ol style="list-style-type: none"> <li>1. <i>Local Government (Uniform Local Provisions) Regulations 1996</i> – prescribe applicable statutory procedures.</li> <li>2. Penalties under the <i>Local Government (Uniform Local Provisions) Regulations 1996</i> are administered in accordance with Part 9, Division 2 of the <i>Local Government Act 1995</i>.</li> </ol>
<b>Policy</b>	Policy - Crossovers
<b>Record keeping</b>	Exercise of the authority is to be recorded in the City's records management system and Attain.
<b>Date adopted</b>	12 June 2023



<b>Adoption references</b>	T2/6/23
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<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
12 Jun 2023	New delegation	Nil	T2/6/23
10 Jun 2024	Amended delegation	Annual Review	T4/6/24

<b>Delegation</b>	<b>1.1.14 Private works on, over or under public places</b>
<b>Category</b>	Technical Services Directorate
<b>Head of power</b>	Part 1 - Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<b>Local Government Act 1995</b> s. 5.42 - Delegation of some powers or duties to CEO
<b>Express power or duty delegated</b>	<b>Local Government (Uniform Local Provisions) Regulations 1996</b> Regulation 17 - Private works on, over, or under public places – Sch. 9.1
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to grant permission or refuse permission to construct a specified thing on, over, or under a specified public thoroughfare or public place that is local government property [r. 17(3)]</li> <li>2. Authority to impose conditions on permission [r. 17(5)], including those prescribed [r. 17(6)]</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ol style="list-style-type: none"> <li>1. Actions under this Delegation must comply with procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i></li> <li>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)]</li> <li>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)</li> </ol>
<b>Express power to subdelegate</b>	<b>Local Government Act 1995</b> s. 5.44 - CEO may delegate powers and duties to other employees
<b>Statutory framework</b>	<ol style="list-style-type: none"> <li>1. <i>Local Government (Uniform Provisions) Regulations 1996</i> – prescribe applicable statutory procedures.</li> <li>2. Penalties under the <i>Local Government (Uniform Local Provisions) Regulations 1996</i> are administered in accordance with Part 9, Division 2 of the <i>Local Government Act 1995</i>.</li> </ol>
<b>Record keeping</b>	Exercise of the authority is to be recorded in the City's records management system and Attain.
<b>Date adopted</b>	12 June 2023
<b>Adoption references</b>	T2/6/23

Amendments			
Date	Type	Amendment	References
12 Jun 2023	New delegation	Nil	T2/6/23
10 Jun 2024	Amended delegation	Annual Review	T4/6/24

<b>Delegation</b>	<b>1.1.15 Notices requiring certain things to be done by owner or occupier of land</b>
<b>Category</b>	Development Services Directorate
<b>Head of power</b>	Part 1 - Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<b>Local Government Act 1995</b> s. 5.42 - Delegation of some powers and duties to CEO
<b>Express power or duty delegated</b>	<b>Local Government Act 1995</b> s. 3.25 - Notices requiring certain things to be done by owner or occupier of land s. 3.26 - Additional powers when notices given
<b>Function</b>	<p>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 —</p> <p>(a) is prescribed in Schedule 3.1, Division 1; or</p> <p>(b) is for the purpose of remedying or mitigating the effects of any offence against a provision prescribed in Schedule 3.1, Division 2 [Act, s. 3.25(1)]</p> <p>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 [Act, s. 3.26(1)]</p> <p>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 [Act, s. 3.26(3)]</p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	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.
<b>Statutory framework</b>	<b>Local Government Act 1995</b> s. 3.25 Notices requiring certain things to be done by owner or occupier of land s. 3.26 Additional powers when notices given Sch. 3.1 Powers under notices to owners or occupiers of land
<b>Record keeping</b>	Exercise of the authority is to be recorded in the City's records management system and Attain.
<b>Date adopted</b>	12 June 2023
<b>Adoption references</b>	T2/6/23

Amendments			
Date	Type	Amendment	References
12 Jun 2023	New delegation	Nil	T2/6/23
24 Jun 2024	Amended delegation	Annual Review	D13/6/24

<b>Delegation</b>	<b>1.1.16 Expressions of interest for goods and services</b>
<b>Category</b>	Office of the CEO
<b>Head of power</b>	Part 1 - Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<b>Local Government Act 1995</b> s. 5.42 - Delegation of some powers or duties to CEO s. 5.43 - Limitations on delegations to CEO
<b>Express power or duty delegated</b>	<b>Local Government Act 1995</b> s. 3.57 - Tenders for providing goods or services.  <b>Local Government (Functions and General) Regulations 1996</b> r. 21 - Limiting who can tender, procedure for r. 23 - Rejecting and accepting expressions of interest to be acceptable tenderer
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Determine when to seek expressions of interest and to invite expressions of interest for the supply of goods or services [Regulations, r. 21(1)]</li> <li>2. Give Statewide public notice that expressions of interest are sought [Regulations, r. 21(3)]</li> <li>3. Reject an expression of interest that is not submitted at a place, and within the time, specified in the notice [Regulations, r. 23(1)]</li> <li>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 [Regulations, r. 23(2)]</li> <li>5. Authority to consider Expressions of Interest which have not been rejected and determine those which are capable of satisfactorily providing the goods or services, for listing as acceptable tenderers [Regulations, r. 23].</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	Expressions of Interest can only be called for items in adopted budget.
<b>Express power to subdelegate</b>	<b>Local Government Act 1995</b> s. 5.44 - CEO may delegate powers and duties to other employees.
<b>Statutory framework</b>	<b>Local Government (Functions and General) Regulations 1996</b>
<b>Policy</b>	Policy - Procurement of Goods and Services
<b>Record keeping</b>	Exercise of the authority is to be recorded in the City's records management system and Attain.
<b>Date adopted</b>	26 June 2023
<b>Adoption references</b>	CS20/6/23

Amendments			
Date	Type	Amendment	References
26 Jun 2023	New delegation	N/A	CS20/6/23
24 Jun 2024	Amended delegation	<p>Annual Review - Minor amendment (Category change from CEO Functions and Powers to "Office of the CEO")</p> <p>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.</p>	CS33/6/24



<b>Delegation</b>	<b>1.1.17 Tenders for goods and services</b>
<b>Category</b>	Office of the CEO
<b>Head of power</b>	Part 1 - Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<p><b>Local Government Act 1995</b></p> <p>s. 5.42 - Delegation of some powers or duties to the CEO</p> <p>s. 5.43 - Limits on delegations to CEO</p>
<b>Express power or duty delegated</b>	<p><b>Local Government Act 1995</b></p> <p>s. 3.57 - Tenders for providing goods or services.</p> <p><b>Local Government (Functions and General) Regulations 1996</b></p> <p>r. 11 - When tenders have to be publicly invited.</p> <p>r. 13 - Requirements when local government invites tenders though not required to do so.</p> <p>r. 14 - Publicly inviting tenders, requirements for.</p> <p>r. 18 - Rejecting and accepting tenders.</p> <p>r. 20 - Variation of requirements before entry into contract.</p> <p>r. 21A - Varying a contract for the supply of goods or services.</p> <p>r. 21 - Limiting who can tender, procedure for.</p>

<b>Function</b>	<ol style="list-style-type: none"> <li>1. Publicly invite tenders if the consideration under a contract is, or is expected to be, more, or worth more, than \$250,000 [Regulations, r. 11(1)]</li> <li>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 supplier [Regulations, r. 11(2)(f)]</li> <li>3. Publicly invite tenders although not required to do so [Regulations, r. 13]</li> <li>4. Determine in writing, before tenders are publicly invited, the criteria for deciding which tender(s) should be accepted [Regulations, r. 14(2a)]</li> <li>5. Decide the information that is to be disclosed to those interested in submitting a tender [Regulations, r. 14(4)(a)]</li> <li>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 [Regulations, r. 14(5)]</li> <li>7. Reject a tender that is not submitted at a place, and within the time, specified in the invitation for tenders [Regulations, r. 18(1)]</li> <li>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 [Regulations, r. 18(2)]</li> <li>9. Assess by a written evaluation of the extent to which each tender satisfies the criteria for deciding which tender to accept and decide which of them (if any) would be most advantageous to accept [Regulations, r. 18(4)]</li> <li>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 [Regulations, r. 18(4a)]</li> <li>11. Decline to accept any tender [Regulations, r. 18(5)]</li> <li>12. Accept the next most advantageous tender to the local government 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 [Regulations, r. 18(6)]</li> <li>13. Accept the next most advantageous tender to the local government 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 [Regulations, r. 18(7)]</li> <li>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 [Regulations, r. 20(1)]</li> <li>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 [Regulations, r. 20(2)]</li> <li>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 [Regulations, r. 21A(a) and (b)]</li> <li>17. Accept another tender where, within 6 months of either accepting a tender, a contract has not been entered into and the successful tenderer agrees to terminate the contract [Regulations, r. 18(7)].</li> </ol>
<b>Delegates</b>	Chief Executive Officer

<b>Conditions</b>	<ol style="list-style-type: none"> <li>1. Authority to accept or reject tenders is to be conducted in accordance with the requirements of the Regulations where - <ol style="list-style-type: none"> <li>a. there is a budget provision up to a value of \$1,000,000; or</li> <li>b. it is a multiple year contract (including extension thereof) up to a total value of \$1,500,000.</li> </ol> </li> <li>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 it's award is subject to the budget being adopted by Council.</li> <li>3. Tender exempt (Sole supplier) arrangements may only be approved where a record is retained that evidences - <ol style="list-style-type: none"> <li>a. a detailed specification;</li> <li>b. the outcomes of market testing of the specification;</li> <li>c. the reasons why market testing has not met the requirements of the specification or competitive analysis;</li> <li>d. rationale for why the supply is unique and cannot be sourced through other suppliers; and</li> <li>e. the expense is included in the adopted Annual Budget.</li> </ol> </li> <li>4. Tenders may only be called where there is an adopted budget for the proposed goods or services, with the exception being in the period immediately prior to the adoption of a new budget, and where the - <ol style="list-style-type: none"> <li>a. proposed goods or services are required to fulfil a routine contract related to the day to day operations of the local government;</li> <li>b. current supply contract expiry is imminent; and</li> <li>c. value of the proposed new contract has been included in the draft budget proposed for adoption.</li> </ol> </li> <li>5. A minor variation may only be entertained if - <ol style="list-style-type: none"> <li>a. the proposed variation does not alter the nature of the goods and/or services procured;</li> <li>b. the proposed variation does not materially alter the specification or structure provided for by the initial tender; and</li> <li>c. the proposed variation is less than 10% of the original tendered price.</li> </ol> </li> </ol> <p>A tender cannot be varied outside the above definition.</p>
<b>Express power to subdelegate</b>	<p><b><i>Local Government Act 1995</i></b></p> <p>s. 5.44 - CEO may delegate powers and duties to other employees</p>
<b>Statutory framework</b>	<p><b><i>Local Government Act 1995</i></b></p> <p><b><i>Local Government (Functions and General) Regulations 1996</i></b></p>
<b>Policy</b>	Policy - Procurement of Goods and Services
<b>Record keeping</b>	Exercise of the authority is to be recorded in the City's records management system and Attain.
<b>Date adopted</b>	26 June 2023
<b>Adoption references</b>	CS20/6/23

Amendments			
Date	Type	Amendment	References
26 Jun 2023	New delegation	N/A	CS20/6/23
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	<p>Annual Review - Minor amendment (Category change from CEO Functions and Powers to "Office of the CEO")</p> <p>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.</p>	CS33/6/24

<b>Delegation</b>	<b>1.1.18 Panels of pre-qualified suppliers for goods and services</b>
<b>Category</b>	Office of the CEO
<b>Head of power</b>	Part 1 - Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<b>Local Government Act 1995</b> s. 5.42 - Delegation of some powers or duties to the CEO s. 5.43 - Limits on delegations to the CEO
<b>Express power or duty delegated</b>	<b>Local Government (Functions and General) Regulations 1996</b> Reg 24AB - Local government may establish panels of pre-qualified suppliers Reg 24AC(1)(b) - Requirements before establishing panels of pre qualified suppliers Reg 24AD - Requirements when inviting persons to apply to join panel of prequalified suppliers Reg 24AH(2), (3), (4) and (5) - Rejecting and accepting applications to join panel of prequalified suppliers
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Determine that there is a continuing need for the goods or services proposed to be provided by a panel of pre-qualified suppliers [Regulations, r. 24AC(1)(b)]</li> <li>2. Authority to, before inviting submissions, determine in writing the criteria for deciding which applications for inclusion in a panel of pre-qualified suppliers should be accepted [Regulations, r. 24AD(3)].</li> <li>3. Vary panel of pre-qualified supplier information after public notice inviting submissions has been given, taking reasonable steps to each person who has enquired or submitted an application is provided notice of the variation [Regulations, r. 24AD(6)].</li> <li>4. Authority to reject an application without considering its merits, where it was submitted at a place and within the time specified, but fails to comply with any other requirement specified in the invitation [Regulations, r. 24AH(2)].</li> <li>5. Authority to assess applications, by written evaluation of the extent to which the submission satisfies the criteria for deciding which applicants to accept, and decide which applications to accept as most advantageous [Regulations, r. 24AH(3)].</li> <li>6. Authority to request clarification of information provided in a submission by an applicant [Regulations, r. 24AH(4)].</li> <li>7. Authority to decline to accept any application [Regulations, r. 24AH(5)].</li> <li>8. Authority to enter into contract, or contracts, for the supply of goods or services with a prequalified suppliers for those particular goods or services [Regulations, r. 24AJ(1)].</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	In accordance with Regulation 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 12months, which includes options to extend the contract.
<b>Express power to subdelegate</b>	<b>Local Government Act 1995:</b> s.5.44 - CEO may delegate some powers and duties to other employees.
<b>Statutory framework</b>	<i>Local Government (Functions and General) Regulations 1996</i>
<b>Policy</b>	Policy - Procurement of Goods and Services
<b>Record keeping</b>	Exercise of the authority is to be recorded in the City's records management system and Attain.
<b>Date adopted</b>	26 June 2023

<b>Adoption references</b>	CS20/6/23
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<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
26 Jun 2023	New delegation	N/A	CS20/6/23
24 Jun 2024	Amended delegation	Annual Review - Minor amendment (Category change from CEO Functions and Powers to "Office of the CEO")	CS33/6/24

<b>Delegation</b>	<b>1.1.19 Disposing of property involving land and buildings</b>
<b>Category</b>	Corporate Services Directorate
<b>Head of power</b>	Part 1 - Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<b>Local Government Act 1995</b> s. 5.42 - Delegation of some powers or duties to the CEO s. 5.43 - Limits on delegations to CEO
<b>Express power or duty delegated</b>	<b>Local Government Act 1995</b> s. 3.58(2), (3) and (5) - Disposing of Property s. 9.49B - Contract formalities  <b>Local Government (Functions and General) Regulations 1996</b> r. 30 - Dispositions of property excluded from Act s. 3.58
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Give local public notice of a proposed disposition of property [Act, s. 3.58(3)(a)]</li> <li>2. Dispose of local government property to the highest bidder at public auction [Act, s. 3.58(2)(a)]</li> <li>3. Dispose of local government property by way of private treaty [Act, s. 3.58(3)]</li> <li>4. Dispose of local government property where the disposition of land is an exempt disposition in the circumstances prescribed by regulation 30(2)(a), (d),(e),(f) and (g) of the <i>Local Government (Functions and General) Regulations 1996</i> [Act, s. 3.58(5)(d)]</li> <li>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 [Act, s. 9.49B]</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ol style="list-style-type: none"> <li>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.</li> <li>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 regulation 30 of the <i>Local Government (Functions and General) Regulations 1996</i>.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>7. Execution of any documents relating to the administration of the disposition must be in accordance with Policy - Execution of Documents.</li> <li>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.</li> </ol>

<b>Express power to subdelegate</b>	Nil.
<b>Subdelegate conditions</b>	N/A
<b>Statutory framework</b>	<p><b><i>Local Government Act 1995</i></b>  s. 5.42 - Delegation of some powers and duties to CEO  s. 3.58 – Disposal of Property  s. 9.49B - Contract formalities</p> <p><b><i>Local Government (Functions and General) Regulations 1996</i></b>  r. 30 – Dispositions of property excluded from Act s. 3.58</p>
<b>Policy</b>	FIN 7 - Disposal of Assets Execution of Documents
<b>Record keeping</b>	Exercise of the authority is to be recorded in the City's records management system and Attain.
<b>Date adopted</b>	16 October 2023
<b>Adoption references</b>	CS45/10/23

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
24 Jun 2024	Amended delegation	Annual Review	CS33/6/24



<b>Delegation</b>	<b>1.1.20 Disposing of property other than land or buildings</b>
<b>Category</b>	Technical Services Directorate
<b>Head of power</b>	Part 1 - Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<b>Local Government Act 1995</b> s. 5.42 - Delegation of some powers or duties to CEO
<b>Express power or duty delegated</b>	<b>Local Government Act 1995</b> s. 3.58(2) and (3) - Disposing of Property.  <b>Local Government (Functions and General) Regulations 1996</b> Reg 30(3) -Dispositions of property excluded from Act s. 3.58
<b>Function</b>	<p>'property' includes the whole or any part of the interest of a local government property but does not include money.</p> <p>1. Authority to dispose of property other than land or buildings to –</p> <p>(a) the highest bidder at public auction [Act, s. 3.58(2)(a)]</p> <p>(b) 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 [Act, s. 3.58(2)(b)]</p> <p>2. Authority to 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 –</p> <p>(a) 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 [F&amp;G Reg. 30(2a)(a)]; or</p> <p>(b) 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 [F&amp;G Reg. 30(2a)(b)]</p> <p>3. Authority to dispose of property other than land or buildings where –</p> <p>(a) the market value is determined as less than \$20,000 [F&amp;G Reg. 30(3)(a)]</p> <p>(b) 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 [F&amp;G. Reg. 30(3)(b)]</p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<p>1. 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.</p> <p>2. 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).</p> <p>3. Delegated authority for the disposal of land or buildings is provided by '1.1.19 Disposing of property involving land and buildings'.</p>
<b>Express power to subdelegate</b>	<b>Local Government Act 1995</b> s. 5.44 - CEO may delegate some powers and duties to other employees
<b>Statutory framework</b>	<p><b>Local Government Act 1995</b> s. 3.58 – Disposal of Property s. 5.42 - Delegation of some powers or duties to CEO</p> <p><b>Local Government (Functions and General) Regulations 1996</b> r. 30 – Dispositions of property excluded from Act s3.58</p>

<b>Policy</b>	FIN 7 - Disposal of Assets
<b>Record keeping</b>	Exercise of the authority is to be recorded in the City's records management system and Attain.
<b>Date adopted</b>	12 June 2023
<b>Adoption references</b>	T2/6/23

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
12 Jun 2023	New delegation	Nil	T2/6/23
22 Jul 2024	Amended delegation	Disposal thresholds clarified	T2/6/23

<b>Delegation</b>	<b>1.1.21 Payments from municipal and trust funds</b>
<b>Category</b>	Corporate Services Directorate
<b>Head of power</b>	Part 1 - Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<b>Local Government Act 1995</b> s. 5.42 - Delegation of some powers or duties to the CEO. s. 5.43 - Limitations on delegations to the CEO.
<b>Express power or duty delegated</b>	<b>Local Government Act 1995</b> s. 6.7 - Municipal fund (incurring expenditure or income to) s. 6.9(3) and (4) - Trust fund (management and payments from)  <b>Local Government (Financial Management) Regulations 1996</b> Reg 11 and 12(1)(a) - Payments from municipal fund or trust fund, restrictions on making
<b>Function</b>	Make payments from the municipal and trust funds [Regulations, r. 12(1)(a)]
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ol style="list-style-type: none"> <li>1. Ensure efficient systems and procedures record the accounts and records of transactions in accordance the Local Government (Financial Management) Regulations 1996 [Regulations, r. 5 and r. 11].</li> <li>2. A list of accounts paid from the municipal fund and trust fund under this delegation are to be presented to Council each month.</li> </ol>
<b>Express power to subdelegate</b>	<b>Local Government Act 1995:</b> s. 5.44 - CEO may delegate some powers and duties to other employees
<b>Statutory framework</b>	<b>Local Government Act 1995</b>  <b>Local Government (Financial Management) Regulators 1996</b> Regs 5, 11, 12 and 13 - Payments from Municipal Fund or Trust Fund by CEO, CEO's Duties as to, etc. <b>Local Government (Audit) Regulations 1996</b> Department of Local Government, Sport and Cultural Industries: Operational Guideline No 11 – Use of Corporate Credit Cards Accounting Manual.
<b>Policy</b>	Nil.
<b>Record keeping</b>	Exercise of the authority is to be recorded in the City's records management system and Attain.
<b>Date adopted</b>	26 June 2023
<b>Adoption references</b>	CS20/6/23

Amendments			
Date	Type	Amendment	References
26 Jun 2023	New delegation	N/A	CS20/6/23
24 Jun 2024	Amended delegation	Annual Review	CS33/6/24

<b>Delegation</b>	<b>1.1.22 Defer, write off, grant a concession or authorise a waiver for monies owing</b>
<b>Category</b>	Corporate Services Directorate
<b>Head of power</b>	Part 1 - Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<b>Local Government Act 1995</b> s. 5.42 - Delegation of some powers or duties to the CEO s. 5.43 - Limitations on delegations to the CEO
<b>Express power or duty delegated</b>	Waive or grant concessions in relation to any amount of money [Act, s. 6.12(1)(b)] Write off any amount of money [Act, s. 6.12(1)(c)] The grant of a concession under (1)(b) may be subject to any conditions determined by the local government [Act, s. 6.12(3)] Recover a fee or charge for any goods or services provided [Act, s. 6.16(1)]
<b>Function</b>	1. Defer payment or payments in relation to money owed 2. Waive or grant a concession in relation to money owed 3. Write off an amount of money which is owed 4. Recover a fee or charge for good and services provided 5. In the event of monies owed to the City under 34AE of the <i>Local Government (Administration) Regulations 1996</i> , authority to seek Ministerial approval in accordance with 19AA <i>Local Government (Financial Management) Regulations 1996</i> .
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	The conditions of use of this delegation is subject to the following limitations:  1. The local government cannot grant a waiver or concession for a rate or service charge [Act, 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 concession of waiver does not exceed \$2,000 per occurrence. 4. Any write off of debt, not being due to an administration error, that does not exceed \$2,000. 5. Promotional activities run by or facilitated by the City at it's 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.
<b>Express power to subdelegate</b>	<b>Local Government Act 1995</b> s. 5.44 - CEO may delegate some powers and duties to other employees.
<b>Statutory framework</b>	<b>Local Government Act 1995</b> <b>Local Government (Financial Management) Regulations 1996</b>
<b>Policy</b>	FIN 8 - Rates Assistance and Financial Hardship
<b>Record keeping</b>	Exercise of the authority is to be recorded in the City's records management system and Attain.
<b>Date adopted</b>	26 June 2023
<b>Adoption references</b>	CS20/6/23

Amendments			
Date	Type	Amendment	References
26 Jun 2023	New delegation	N/A	CS20/6/23
24 Jun 2024	Amended delegation	Annual Review	CS33/6/24

<b>Delegation</b>	<b>1.1.23 Power to invest and manage investments</b>
<b>Category</b>	Corporate Services Directorate
<b>Head of power</b>	Part 1 - Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<b>Local Government Act 1995</b> s. 5.42 - Delegation of some powers or duties to the CEO.
<b>Express power or duty delegated</b>	<b>Local Government Act 1995</b> s. 6.14 - Power to invest  <b>Local Government (Financial Management) Regulations 1996</b> Regulation 19 - Investments, control procedures for.
<b>Function</b>	<ol style="list-style-type: none"> <li>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)].</li> <li>2. Establish and document internal control procedures to be followed to ensure control over investments [Regulations, r.19].</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<p>The delegation is to be exercised in accordance with -</p> <ol style="list-style-type: none"> <li>1. Regulation 19 of the <i>Local Government (Financial Management) Regulations 1996</i>.</li> <li>2. Section 20 of the <i>Trustees Act 1962</i>.</li> <li>3. Council's Investment Policy.</li> </ol>
<b>Express power to subdelegate</b>	<b>Local Government Act 1995</b> s. 5.44 - CEO may delegate some powers and duties to other employees.
<b>Statutory framework</b>	<b>Local Government Act 1995</b> s. 6.14(2)(a) - Power to Invest.  <b>Local Government (Financial Management) Regulations 1996</b> Regulation 19C(1) - Investment of money, restrictions. Regulation 28 - Investment Information Required in Notes. Regulation 49 - Invested money, information about in annual financial report.  <b>Trustees Act 1962</b> Part 111: Investments.
<b>Policy</b>	Investments Policy
<b>Record keeping</b>	Exercise of the authority is to be recorded in the City's records management system and Attain.
<b>Date adopted</b>	26 June 2023
<b>Adoption references</b>	CS20/6/23

Amendments			
Date	Type	Amendment	References
26 Jun 2023	New delegation	N/A	CS20/6/23
24 Jun 2024	Amended delegation	Annual Review	CS33/6/24



<b>Delegation</b>	<b>1.1.24 Rate record amendment</b>
<b>Category</b>	Corporate Services Directorate
<b>Head of power</b>	Part 1 - Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<b>Local Government Act 1995</b> s. 5.42 - Delegation of some powers or duties to the CEO s. 5.43 - Limitations on delegations to the CEO
<b>Express power or duty delegated</b>	<b>Local Government Act 1995</b> s. 6.39(2)(b) - Rate record s. 6.40 Effect of amendment of rate record
<b>Function</b>	Authority to determine any requirement to amend the rate record for the five years preceding the current financial year [Act, s. 6.39(2)(b)].
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	Delegates must comply with the requirements of s. 6.40 of the <i>Local Government Act 1995</i> .
<b>Express power to subdelegate</b>	<b>Local Government Act 1995</b> s. 5.44 - CEO may delegate some powers and duties to other employees.
<b>Statutory framework</b>	<b>Local Government Act 1995:</b> s. 6.40 - Prescribes consequential actions that may be required following a decision to amend the rate record.  <b>NOTE:</b> Decisions made using this Delegation may be reviewed by the State Administrative Tribunal (SAT).
<b>Policy</b>	Nil.
<b>Record keeping</b>	Exercise of the authority is to be recorded in the City's records management system and Attain.
<b>Date adopted</b>	26 June 2023
<b>Adoption references</b>	CS20/6/23

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
26 Jun 2023	New delegation	N/A	CS20/6/23
24 Jun 2024	Amended delegation	Annual Review	CS33/6/24

<b>Delegation</b>	<b>1.1.25 Agreement for payment of rates and service charges</b>
<b>Category</b>	Corporate Services Directorate
<b>Head of power</b>	Part 1 - Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<b>Local Government Act 1995</b> s. 5.42 - Delegation of some powers or duties to CEO s. 5.43 - Limitations on delegations to CEO
<b>Express power or duty delegated</b>	<b>Local Government Act 1995</b> 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
<b>Function</b>	<ol style="list-style-type: none"> <li>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 [Act, s. 6.49]</li> <li>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 [Act, 6.56(1)]</li> <li>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 [Act, s. 6.60(2)]</li> <li>4. Give to the lessor a copy of the notice with an endorsement that the original of it has been given to the lessee [Act, s. 6.60(3)]</li> <li>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 [Act, s. 6.60(4)]</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ol style="list-style-type: none"> <li>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.</li> <li>2. The delegation is subject to section 6.47 of the <i>Local Government Act 1995</i> and the <i>Rates and Charges (Rebates and Deferments) Act 1992</i>.</li> </ol>
<b>Express power to subdelegate</b>	<b>Local Government Act 1995</b> s. 5.44 - CEO may delegate some powers and duties to other employees.
<b>Statutory framework</b>	<b>Local Government Act 1995</b> <b><i>Rates and Charges (Rebates and Deferments) Act 1992</i></b>
<b>Policy</b>	FIN 8 - Rates Assistance & Financial Hardship FIN 9 - A Smarter Way to Pay
<b>Record keeping</b>	Exercise of the authority is to be recorded in the City's records management system and Attain.
<b>Date adopted</b>	26 June 2023
<b>Adoption references</b>	CS20/6/23

Amendments			
Date	Type	Amendment	References
26 Jun 2023	New delegation	N/A	CS20/6/23
24 Jun 2024	Amended delegation	Annual Review	CS33/6/24

<b>Delegation</b>	<b>1.1.26 Determine due dates for rates or service charges</b>
<b>Category</b>	Corporate Services Directorate
<b>Head of power</b>	Part 1 - Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<b>Local Government Act 1995</b> s. 5.42 - Delegation of some powers or duties to CEO s. 5.43 - Limitations on delegations to CEO.
<b>Express power or duty delegated</b>	<b>Local Government Act 1995</b> s. 6.50 - Rates or service charges due and payable
<b>Function</b>	Authority to determine the date on which rates or service charges become due and payable to the City [Act, s. 6.50(1)]
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	The due date determined is to be in accordance with the requirements prescribed by section 6.50 of the <i>Local Government Act 1995</i> .
<b>Express power to subdelegate</b>	<b>Local Government Act 1995:</b> s. 5.44 - CEO may delegate some powers and duties to other employees.
<b>Statutory framework</b>	<b>Local Government Act 1995</b>
<b>Policy</b>	Nil.
<b>Record keeping</b>	Exercise of the authority is to be recorded in the City's records management system and Attain.
<b>Date adopted</b>	26 June 2023
<b>Adoption references</b>	CS20/6/23

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
26 Jun 2023	New delegation	N/A	CS20/6/23
24 Jun 2024	Amended delegation	Annual Review	CS33/6/24

<b>Delegation</b>	<b>1.1.27 Rate Record - Objections</b>
<b>Category</b>	Corporate Services Directorate
<b>Head of power</b>	Part 1 - Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<b>Local Government Act 1995</b> s. 5.42 - Delegation of some powers or duties to CEO s. 5.43 - Limitations on delegations to CEO
<b>Express power or duty delegated</b>	<b>Local Government Act 1995</b> s. 6.76 - Grounds of objection
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Extend the time for a person to make an objection to a rate record [Act, s. 6.76 (4)].</li> <li>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 [Act, s. 6.76(5) and (6)].</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ol style="list-style-type: none"> <li>1. Objection to be received within the required time frame identifying all relevant information as required by s. 6.76(2), unless an application for an extension has been granted (4);</li> <li>2. Objection is to be considered promptly;</li> <li>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;</li> <li>4. Objections that are allowed must not exceed \$50,000 in lost revenue per property per financial year. Amounts great than this must be referred to Council.</li> <li>5. Amendments to the rate record must be within budget.</li> <li>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.</li> </ol>
<b>Express power to subdelegate</b>	<b>Local Government Act 1995</b> s. 5.44 - CEO may delegate some powers and duties to other employees.
<b>Statutory framework</b>	<b>Local Government Act 1995</b>  NOTE: Decisions under this Delegation may be referred for review by the State Administrative Tribunal.
<b>Record keeping</b>	Exercise of the authority is to be recorded in the City's records management system and Attain.
<b>Date adopted</b>	26 June 2023
<b>Adoption references</b>	CS20/6/23

Amendments			
Date	Type	Amendment	References
26 Jun 2023	New delegation	N/A	CS20/6/23
24 Jun 2024	Amended delegation	Annual Review	CS33/6/24

<b>Delegation</b>	<b>1.1.29 Contract formalities</b>
<b>Category</b>	Office of the CEO
<b>Head of power</b>	Part 1 - Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<b>Local Government Act 1995</b> s. 5.42 - Delegation of some powers or duties to CEO s. 5.43 - Limitations on delegations to CEO
<b>Express power or duty delegated</b>	<b>Local Government Act 1995</b> s. 9.49B - Contract Formalities  Insofar as the formalities of making, varying or discharging a contract are concerned, a person acting under the authority of a local government may make, vary or discharge a contract in the name of or on behalf of the local government in the same manner as if that contract was made, varied or discharged by a natural person.
<b>Function</b>	1. Authority to determine, make, vary or discharge any contracts or agreements [Act, s. 9.49B(1)]  2. The functions 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.
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>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.</li> <li>4. A contract variation shall only be made if the variation does not change the scope or nature of the contract [Regulations, r. 21A].</li> </ol>
<b>Express power to subdelegate</b>	<b>Local Government Act 1995</b> s. 5.44 - CEO may delegate some powers and duties to other employees.
<b>Statutory framework</b>	<b>Local Government Act 1995</b> <b>Local Government (Functions and General) Regulations 1996</b>
<b>Policy</b>	Policy - Procurement of Goods and Services
<b>Record keeping</b>	Exercise of the authority is to be recorded in the City's records management system and Attain.
<b>Date adopted</b>	26 June 2023
<b>Adoption references</b>	CS20/6/23

Amendments			
Date	Type	Amendment	References
26 Jun 2023	New delegation	N/A	CS20/6/23
24 Jun 2024	Amended delegation	Annual Review - Minor amendment (Category change from CEO Functions and Powers to "Office of the CEO")	CS33/6/24



<b>Delegation</b>	<b>1.1.30 Appointment of Poundkeepers</b>
<b>Category</b>	Community Services Directorate
<b>Head of power</b>	Part 1 - Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<b>Local Government Act 1995</b> s. 5.42(1) - Delegation of some powers and duties to CEO
<b>Express power or duty delegated</b>	<b>Local Government (Miscellaneous Provisions) Act 1960</b> s. 449 - Pounds, establishing; poundkeepers and rangers, appointing
<b>Function</b>	Appoint fit and proper persons to be poundkeepers [Act, s. 449] (Miscellaneous Provisions)
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	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.
<b>Express power to subdelegate</b>	Nil.
<b>Statutory framework</b>	<b>Local Government Act 1995</b> s. 5.42(1) - Delegation of some powers and duties to CEO <b>Local Government (Miscellaneous Provisions) Act 1960</b> s. 2 - Act to be read as part of <i>Local Government Act 1995</i> s. 449 - Pounds, establishing; poundkeepers and rangers, appointing
<b>Record keeping</b>	Exercise of the authority is to be recorded in the City's records management system and Attain.
<b>Date adopted</b>	26 June 2023
<b>Adoption references</b>	C15/6/23

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
12 Jun 2023	New delegation	Nil	C15/6/23
10 Jun 2024	Amended delegation	Annual Review	C16/6/24

<b>Delegation</b>	<b>1.1.31 Free use of local government facilities</b>
<b>Category</b>	Community Services Directorate
<b>Head of power</b>	Part 1 - Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<b>Local Government Act 1995</b> s. 5.42(1) - Delegation of some powers and duties to CEO
<b>Express power or duty delegated</b>	<b>Local Government Act 1995</b> s. 6.12(1)(b) - waive or grant concessions in relation to any amount of money
<b>Function</b>	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.
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<p>The function shall only be used where -</p> <ol style="list-style-type: none"> <li>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</li> <li>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</li> <li>3. The term does not exceed twelve (12) months; and</li> <li>4. The agreement does not apply to a commercial organisation; or</li> <li>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.</li> </ol>
<b>Express power to subdelegate</b>	<b>Local Government Act 1995</b> s. 5.44 - CEO may delegate powers and duties to other employees
<b>Statutory framework</b>	<b>Local Government Act 1995</b> s. 5.42(1) s. 5.44
<b>Policy</b>	Policy - Lease and Licence
<b>Record keeping</b>	Exercise of the authority is to be recorded in the City's records management system and Attain.
<b>Date adopted</b>	12 June 2023
<b>Adoption references</b>	C15/6/23

Amendments			
Date	Type	Amendment	References
12 Jun 2023	New delegation	Nil	C15/6/23
10 Jun 2024	Amended delegation	Annual Review	C16/6/24

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

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
12 Jun 2023	New delegation	Nil	C15/6/23
10 Jun 2024	Amended delegation	Annual Review	C16/6/24

<b>Delegation</b>	<b>1.1.34 Sponsorship and grant applications, agreements and acquittals</b>
<b>Category</b>	Community Services Directorate
<b>Head of power</b>	Part 1 - Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<b>Local Government Act 1995</b> s. 5.42 Delegation of some powers to CEO
<b>Express power or duty delegated</b>	<b>Local Government Act 1995</b> s. 9.49A(4)  (4) A local government may, by resolution, authorise the CEO, another employee or an agent of the local government to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation.
<b>Function</b>	Sign sponsorship or grant applications, agreements and acquittals on behalf of the City of Armadale.
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ol style="list-style-type: none"> <li>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</li> <li>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.</li> <li>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.</li> </ol> *Absolute majority required
<b>Express power to subdelegate</b>	<b>Local Government Act 1995</b> Subdelegation of this function is prohibited by s. 5.43(ha) of the Act.
<b>Subdelegate conditions</b>	N/A
<b>Statutory framework</b>	<b>Local Government Act 1995</b> s. 5.42, s. 5.43(ha) and s. 9.49A(4).
<b>Policy</b>	Nil
<b>Record keeping</b>	<p>Exercise of the authority is to be recorded in the City's records management system and Attain.</p> <p>Where the common seal is affixed the particulars are to be recorded in the Common Seal Register.</p>

<b>Date adopted</b>	12 June 2023
<b>Adoption references</b>	C15/6/23

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
12 Jun 2023	New delegation	Nil	C15/6/23
10 Jun 2024	Amended delegation	Annual Review	C16/6/24

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

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
12 Jun 2023	New delegation	N/A	T2/6/23
10 Jun 2024	Amended delegation	Annual Review	T4/6/24

<b>Delegation</b>	<b>2.1.1 Local Law Relating to Dogs - licencing and administration</b>
<b>Category</b>	Community Services Directorate
<b>Head of power</b>	Part 2 - Local Laws
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<b><i>Dog Act 1976</i></b> s. 10AA - Delegation of local government powers and duties
<b>Express power or duty delegated</b>	<p><b><i>Local Government Act 1995</i></b> s. 3.18 Performing executive functions</p> <p>(1) A local government is to administer its local laws and may do all other things that are necessary or convenient to be done for, or in connection with, performing its functions under this Act.</p> <p><b><i>Dog Act 1976</i></b> s. 10AA(3) Authorise the delegate to further delegate the power or duty</p> <p><b>Local Law Relating to Dogs</b>            Clause 3.2 - Limitation on the number of dogs            Clause 3.2(4) - determination of application for exemption [Dog Act 1976, s. 26(3)]            Clause 4.5 - When application can be determined            Clause 4.6 - Determination of application            Clause 4.7(b) - Where application cannot be approved            Clause 4.8 - Conditions of approval            Clause 4.11 - Determine form of licence            Clause 4.13 - Variation or cancellation of licence            Clause 4.14 - Transfer            Clause 4.15 - Notification            Clause 7.4 - Failure to pay modified penalty</p>
<b>Function</b>	<ol style="list-style-type: none"> <li>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)]</li> <li>2. Revoke or vary an approval for an exemption granted by the local government [cl. 3.2(4)(c)]</li> <li>3. Determine an application for a kennel licence in accordance with the requirements of clause 4.5 and 4.6 [cl. 4.5, 4.6]</li> <li>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)]</li> <li>5. Impose conditions on an approval for a kennel licence [cl. 4.8(1)]</li> <li>6. Determine the form of a kennel licence to be issued to a licensee [cl. 4.11]</li> <li>7. Vary the conditions of a kennel licence [cl. 4.13(1)]</li> <li>8. Cancel a kennel licence for any of the grounds prescribed by the Local Law [cl. 4.13(2)]</li> <li>9. Approve the transfer of a kennel licence to another person with or without conditions as considered appropriate [cl. 4.14(2), (3)]</li> <li>10. Give written notice for any of the matters prescribed by clause 4.15 of the Local Law [cl. 4.15]</li> <li>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]</li> <li>12. Further delegate the power or duty [s. 10AA(3)]</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	Nil.



<b>Express power to subdelegate</b>	<b><i>Dog Act 1976</i></b> s. 10AA(3) - The delegation may expressly authorise the delegate to further delegate the power or duty
<b>Statutory framework</b>	<b><i>Dog Act 1976</i></b>  Local Law Relating to Dogs
<b>Policy</b>	Nil.
<b>Record keeping</b>	Exercise of the authority is to be recorded in the City's records management system and Attain.
<b>Date adopted</b>	12 June 2023
<b>Adoption references</b>	C15/6/23

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
12 Jun 2023	New delegation	Nil	C15/6/23
10 Jun 2024	Amended delegation	Annual Review	C16/6/24

<b>Delegation</b>	<b>2.1.2 Administration of City of Armadale Local Laws</b>
<b>Category</b>	Office of the CEO
<b>Head of power</b>	Part 2 - Local Laws
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<b>Local Government Act 1995</b> s. 5.42 - Delegation of some powers and duties to CEO
<b>Express power or duty delegated</b>	<b>Local Government Act 1995</b> s. 3.18 - Performing executive functions  (1)A local government is to administer its local laws and may do all other things that are necessary or convenient to be done for, or in connection with, performing its functions under this Act.
<b>Function</b>	Exercise powers or functions of the following City of Armadale Local Laws -  <ol style="list-style-type: none"> <li>1. Activities and Trading in Thoroughfares and Public Places Local Law (cl. 5.3 and cl. 5.7 excepted);</li> <li>2. Environment, Animals and Nuisance Local Law;</li> <li>3. Extractive Industries Local Law (cl 3.1(2), cl. 3.1(3)(a) and cl. 8.1 excepted);</li> <li>4. Fencing Local Law;</li> <li>5. Health Local Laws 2002;</li> <li>6. Livestock in Public Places and Wandering at Large Local Law 2015;</li> <li>7. Parking and Parking Facilities Local Law (limited to cl. 2.3(1)(a), cl. 7.2, cl. 9.1(1) and cl. 9.1(6))</li> <li>8. Pest Plant Local Law 2013;</li> <li>9. Local Laws Relating to the Removal of Refuse, Rubbish and Disused Materials; and</li> <li>10. Street Numbering Local Law 2010.</li> <li>11. Cat Local Law 2024 (cl. 3.1 and 4.4(f) excepted).</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ol style="list-style-type: none"> <li>1. The delegation is unable to be used where a Local Law requires a Council resolution in order to exercise a power or function.</li> <li>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.</li> <li>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.</li> <li>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.</li> </ol>
<b>Express power to subdelegate</b>	<b>Local Government Act 1995</b> s. 5.44(1) - CEO may delegate powers and duties to other employees

<b>Statutory framework</b>	<b>Local Government Act 1995</b> s. 3.18(1) Performing executive functions s. 5.42 - Delegation of some powers and duties to CEO
<b>Policy</b>	Policies relevant to individual local law functions - refer Policy Manual.
<b>Record keeping</b>	The exercise of the function is to be recorded in the City's records management system and Attain.
<b>Date adopted</b>	12 June 2023
<b>Adoption references</b>	C15/6/23

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
26 Jun 2023	New delegation	N/A	CS20/6/23
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

<b>Delegation</b>	<b>2.1.3 Local Government Property Local Law - Approve, issue and determine conditions of permits</b>
<b>Category</b>	Community Services Directorate
<b>Head of power</b>	Part 2 - Local Laws
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<p><b>Local Government Act 1995</b></p> <p>s. 5.42 - Delegation of some powers or duties to CEO</p> <p>s. 5.44 - CEO may delegate powers and duties to other employees</p>
<b>Express power or duty delegated</b>	<p><b>Local Government Act 1995</b></p> <p>s. 3.18 Performing executive functions</p> <p>(1) A local government is to administer its local laws and may do all other things that are necessary or convenient to be done for, or in connection with, performing its functions under this Act.</p> <p><b>Local Government Property Local Law</b></p> <p>cl. 2.1 Determinations as to use of local government property</p> <p>cl. 3.2 Application for permit</p> <p>cl. 3.3 Decision on application for permit</p> <p>cl. 3.4 Conditions which may be imposed on a permit</p> <p>cl. 3.5 Imposing conditions under a policy</p> <p>cl. 3.6 Compliance with and variation of conditions</p> <p>cl. 3.9 Renewal of permit</p> <p>cl. 3.10 Transfer of permit</p> <p>cl. 3.11 Production of permit</p> <p>cl. 3.12 Cancellation of permit</p> <p>cl. 3.13 Activities needing a permit</p>
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Make a Determination in accordance with clause 2.2 of the Local Law [cl. 2.1(1)].</li> <li>2. Determine the form of an application for a permit under the local law [cl. 3.2(2)(a)].</li> <li>3. Require an applicant to provide additional information reasonably related to an application for determining an application [cl. 3.2(3)].</li> <li>4. Require an applicant to give local public notice of an application for a permit [cl. 3.2(4)].</li> <li>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)].</li> <li>6. Approve, or refuse, an application for a permit unconditionally or subject to conditions [cl. 3.3(1)(a) and (b)].</li> <li>7. Determine a form of permit and issue a permit to an applicant [cl. 3.3(2)].</li> <li>8. Give written notice of a refusal to approve an application for a permit, to an applicant [cl. 3.3(3)].</li> <li>9. Impose conditions that are not prescribed by a clause of the local law on a permit [cl. 3.3(4)].</li> <li>10. Refuse an application for a permit on grounds that are not prescribed by a clause of the local law [cl. 3.3(5)].</li> <li>11. Impose conditions on a permit as specified in the Local Law [cl. 3.4].</li> <li>12. Impose conditions on a permit by reference to a policy [cl. 3.5(2)].</li> <li>13. Vary the conditions of a permit [cl. 3.6(1)].</li> <li>14. Renew a permit, prior to the expiry of the permit [cl. 3.9(1)].</li> <li>15. Approve the transfer of a permit to another person subject to any conditions [cl. 3.10 (2)].</li> <li>16. Refuse the transfer of a permit to another person [cl. 3.10(1)(c), 3.10(2)].</li> <li>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)].</li> <li>18. Exempt a person from compliance with clause 3.13(1) upon application by that person [cl. 3.13(2)].</li> </ol>

<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	Nil.
<b>Express power to subdelegate</b>	<b><i>Local Government Act 1995</i></b> s. 5.44 CEO may delegate powers and duties to other employees
<b>Subdelegate conditions</b>	N/A
<b>Statutory framework</b>	<b><i>Local Government Act 1995</i></b> <b>City of Armadale Local Government Property Local Law</b>
<b>Record keeping</b>	Exercise of the authority is to be recorded in the City's records management system and Attain.
<b>Date adopted</b>	12 June 2023
<b>Adoption references</b>	C15/6/23

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
12 Jun 2023	New delegation	Nil	C15/6/23
10 Jun 2024	Amended delegation	Annual Review	C16/6/24

<b>Delegation</b>	<b>2.1.4 Local Government Property Local Law - administration</b>
<b>Category</b>	Community Services Directorate
<b>Head of power</b>	Part 2 - Local Laws
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<b>Local Government Act 1995</b> s. 5.42(1) Delegation of some powers and duties to CEO
<b>Express power or duty delegated</b>	<b>Local Government Act 1995</b> s. 3.18 Performing executive functions (1) A local government is to administer its local laws and may do all other things that are necessary or convenient to be done for, or in connection with, performing its functions under this Act. <b>Local Government Property Local Law</b> 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) Unauthorised entry to function - fees cl. 8.4 Disposal of lost property cl. 8.5 Liability for damage cl. 9.2 Local government may undertake requirements of notice
<b>Function</b>	<ol style="list-style-type: none"> <li>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]</li> <li>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]</li> <li>3. Give written consent to a person to remove flora on or above local government property [cl. 4.7(1)]</li> <li>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)]</li> <li>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)]</li> <li>6. Dispose of an article of lost property left on any local government property if not claimed after 1 month [cl. 8.4(1)]</li> <li>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)]</li> <li>8. Issue a notice to a person who has unlawfully damaged local government property, that the person is required to pay the costs of reinstating the property to the state it was in prior to the occurrence of the damage; or replace that property. [cl. 8.5(1)]</li> <li>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]</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	Nil.
<b>Express power to subdelegate</b>	<b>Local Government Act 1995</b> s. 5.44(1) CEO may delegate powers and duties to other employees

<b>Subdelegate conditions</b>	N/A
<b>Statutory framework</b>	<p><b>Local Government Act 1995</b></p> <p>s. 3.18(1) Performing executive functions</p> <p>s. 5.42(1) Delegation of some powers and duties to CEO</p> <p>s. 5.44(1) CEO may delegate powers and duties to other employees</p> <p><b>Local Government Property Local Law</b></p>
<b>Record keeping</b>	Exercise of the authority is to be recorded in the City's records management system and Attain.
<b>Date adopted</b>	12 June 2023
<b>Adoption references</b>	C15/6/23

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
12 Jun 2023	New delegation	Nil	C15/6/23
10 Jun 2024	Amended delegation	Annual Review	C16/6/24

<b>Delegation</b>	<b>2.1.8 Bush Fire Brigades Local Law</b>
<b>Category</b>	Community Services Directorate
<b>Head of power</b>	Part 2 - Local Laws
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<p><b><i>Bush Fires Act 1954</i></b> s. 48 - Delegation by local governments</p> <p><b><i>Local Government Act 1995</i></b> s. 5.42 - Delegation of some powers and duties to CEO</p>
<b>Express power or duty delegated</b>	<p><b><i>Local Government Act 1995</i></b></p> <p>3.18. Performing executive functions (1) A local government is to administer its local laws and may do all other things that are necessary or convenient to be done for, or in connection with, performing its functions under this Act.</p> <p><b>Bush Fire Brigades Local Law</b></p> <p>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</p>
<b>Function</b>	<p>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)]</p> <p>2. Determine an appropriate structure through which the organisation of bush fire brigades is maintained [cl. 3.1]</p> <p>3. Appoint a Training Coordinator for the district [cl. 3.3]</p> <p>4. Dismiss a person from a membership of a bush fire brigade [Rule 2.7(1)(d)]</p> <p>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.</p>
<b>Delegates</b>	Chief Executive Officer



<b>Conditions</b>	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.
<b>Express power to subdelegate</b>	Nil.
<b>Subdelegate conditions</b>	N/A
<b>Statutory framework</b>	<p><b>Bush Fires Act 1954</b></p> <p>s. 48 - Delegation by local governments s. 63 - Local government may make local laws</p> <p><b>Local Government Act 1995</b></p> <p>s. 3.18 - Performing executive functions s. 5.42 - Delegation of some powers and duties to CEO</p> <p>Bush Fire Brigades Local Law</p>
<b>Record keeping</b>	Exercise of the delegation is to be recorded in the City's records management system and Attain.
<b>Date adopted</b>	12 June 2023
<b>Adoption references</b>	C15/6/23

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
12 Jun 2023	New delegation	Nil	C15/6/23

<b>Delegation</b>	<b>3.1.1 Building Act 2011 - Powers and duties</b>
<b>Category</b>	Development Services Directorate
<b>Head of power</b>	Part 3 - Building Act 2011
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<p><b><i>Building Act 2011</i></b> s. 127(1) - Delegation: special permit authorities and local government.</p> <p>(1) A special permit authority or a local government may delegate any of its powers or duties as a permit authority under another provision of this Act.</p>
<b>Express power or duty delegated</b>	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> .
<b>Function</b>	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> .
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ol style="list-style-type: none"> <li>1. A delegation of a local government's powers or duties may be only to a local government employee [Act, 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.)</li> <li>2. The delegation must be in writing executed by or on behalf of the delegator [Act, s. 127(4)]</li> <li>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 [Act, s. 127(5)]</li> </ol>
<b>Express power to subdelegate</b>	<p><b><i>Building Act 2011:</i></b> s.127(6A) - Delegation: special permit authorities and local governments</p> <p>s. 127(6A) The CEO of a local government may delegate to any other local government employee a power or duty of the local government that has been delegated to the CEO under this section but in the case of such a power or duty —</p> <p>(a) the CEO's power under this subsection to delegate the exercise of that power or the discharge of that duty; and</p> <p>(b) the exercise of that power or the discharge of that duty by the CEO's delegate, are subject to any conditions, qualifications, limitations or exceptions imposed by the local government on its delegation to the CEO.</p>
<b>Statutory framework</b>	<b><i>Building Act 2011</i></b>
<b>Policy</b>	Nil.
<b>Record keeping</b>	Exercise of the authority is to be recorded in the City's records management system and Attain.
<b>Date adopted</b>	28 April 2025
<b>Adoption references</b>	D2/4/25



<b>Delegation</b>	<b>3.1.2 Building Act 2011 - appointment of authorised persons</b>
<b>Category</b>	Development Services Directorate
<b>Head of power</b>	Part 3 - Building Act 2011
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<p><b>Building Act 2011</b> s. 127(1) and (3) - Delegation: special permit authorities and local government.</p> <p><b>Building Regulations 2012</b> r. 4A(2) Authorised persons</p>
<b>Express power or duty delegated</b>	<p><b>Building Act 2011</b> s. 96(3), (6) - Authorised persons</p> <p><b>Building Regulations 2012</b> Regulation 4A(2) - designation of persons as an authorised person Regulation 4B(1) - Identity cards Regulation 70(1) and (2) - appointment of approved officers and authorised officers for the purposes of the <i>Criminal Procedure Act 2004</i>, section 6.</p>
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Appoint an employee as an Authorised Person [Act, s. 96(3)]</li> <li>2. Revoke, in writing, an instrument of authorisation [Act, s. 96(6)]</li> <li>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 [Reg 4A(2)]</li> <li>4. Give an identity card to each person designated by it as an authorised person under regulation 4A [Reg 4B(1)]</li> <li>5. Appoint a specified employee to be an approved officer for the purposes of the <i>Criminal Procedure Act 2004</i> [Act, s. 6(a), Reg 70(1) and (1A)].</li> <li>6. Appoint a specified employee to be an authorised officer for the purposes of the <i>Criminal Procedure Act 2004</i> [Act, s. 6(b), Reg 70(1) and (2)].</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ol style="list-style-type: none"> <li>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 section 9.19 or 9.20 of the <i>Local Government Act 1995</i> is delegated under section 5.44(1) of that Act.</li> <li>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>.</li> <li>3. An authorised person for the purposes of sections 96(3) and 99(3) of the Building Act 2011 is not an approved officer or authorised officer for the purposes of r. 70 of the <i>Building Regulations 2012</i>.</li> <li>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>.</li> </ol>
<b>Express power to subdelegate</b>	<p><b>Building Act 2011</b> s. 127(6A) - Delegation: special permit authorities and local governments (powers of sub delegation limited to CEO).</p>
<b>Subdelegate conditions</b>	N/A

<b>Statutory framework</b>	<p><b><i>Building Act 2011</i></b>  s. 96(3) - designate a local government employee as an authorised person.  s.97 - Requires each person designated as an Authorised Person must have an identity card.</p> <p><b><i>Building Regulations 2012</i></b>  Regulation 4A(2) - designation of persons as an authorised person  Regulation 4B(1) - Identity cards  Regulation 70(1) and (2) - appointment of approved officers and authorised officers for the purposes of the <i>Criminal Procedure Act 2004</i>, section 6.</p> <p><b><i>Local Government Act 1995</i></b>  s. 5.63 - Local government employees  s. 9.10 - Appointment of authorised persons</p>
<b>Policy</b>	Nil.
<b>Record keeping</b>	<ol style="list-style-type: none"> <li>1. Exercise of the authority is to be recorded in the City's records management system and Attain.</li> <li>2. A copy of the Authorisation is to be kept on the relevant employee's personnel file.</li> </ol>
<b>Date adopted</b>	28 October 2024
<b>Adoption references</b>	CEO2/10/24

<b>Delegation</b>	<b>5.1.1 Cat Act 2011 - administration of functions and powers</b>
<b>Category</b>	Community Services Directorate
<b>Head of power</b>	Part 5 - Cat Act 2011
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<b>Cat Act 2011</b> s. 44 - Delegation by local government.
<b>Express power or duty delegated</b>	<b>Cat Act 2011</b>  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
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Grant, or refuse to grant, the registration or the renewal of the registration of a cat [Cat Act, s. 9(1)]</li> <li>2. Refuse an application under section 9(1) of the Act if the delegate is satisfied one or more of the proscriptions of s. 9(2) of the Act apply [Cat Act, s. 9(2)]</li> <li>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 [Cat Act, s. 9(5)]</li> <li>4. Refuse to consider an application if the applicant does not provide the information required under section 9(5) of the Act [Cat Act, s. 9(6)]</li> <li>5. Cancel the registration of a cat for any of the grounds prescribed [Cat Act, s. 10]</li> <li>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 [Cat Act s. 10(1)]</li> <li>7. Replace a lost, stolen or destroyed registration certificate or registration tag [Cat Act s. 11(2)]</li> <li>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 [Cat Act, s. 12]</li> </ol>

	<p>9. Issue a notice of decision to an applicant [Cat Act, s. 13]</p> <p>10. Give a cat control notice to a person who is the owner of a cat [Cat Act, s. 26]</p> <p>11. Give notice to the owner of a cat that their cat is held in the City's cat management facility [Cat Act, s. 32]</p> <p>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 [Cat Act, s. 33]</p> <p>13. Deal with an unidentified or unclaimed cat in the manner prescribed by section 34 of the Act [Cat Act, s. 34]</p> <p>14. Grant, or refuse to grant, the approval or the renewal of an approval to breed cats [Cat Act, s. 37(1)]</p> <p>15. Refuse an application under section 37(1) of the Act if the delegate is satisfied one or more of the proscriptions of s. 37(2) of the Act apply [Cat Act, s. 37(2)]</p> <p>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 [Cat Act, s. 37(3)]</p> <p>17. Refuse to consider an application if the applicant does not provide the information required under section 37(3) of the Act [Cat Act, s. 37(4)]</p> <p>18. Cancel an approval to breed cats if one or more of the things set out in section 37(2) of the Act apply [Cat Act, s. 38]</p> <p>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 [Cat Act, s. 39]</p> <p>20. Issue a notice of decision to an applicant [Cat Act, s. 40]</p> <p>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 [Cat Act, s. 42]</p> <p>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 [Cat Act s. 49(3)]</p> <p>23. Administer any regulation made under section 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 [Cat Act, s. 77(4)]</p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the <i>Cat Act 2011</i> .
<b>Express power to subdelegate</b>	<b><i>Cat Act 2011</i></b> s. 45 - Delegation by CEO of local government
<b>Statutory framework</b>	<b><i>Cat Act 2011</i></b> <b><i>Cat Regulations 2012</i></b>
<b>Record keeping</b>	Exercise of authority to be recorded in Record Management System

<b>Date adopted</b>	12 June 2023
<b>Adoption references</b>	C15/6/23

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
12 Jun 2023	New delegation	Nil	C15/6/23
10 Jun 2024	Amended delegation	Annual Review	C16/6/24



<b>Delegation</b>	<b>6.1.1 Dog Act 1976 - registration functions</b>
<b>Category</b>	Community Services Directorate
<b>Head of power</b>	Part 6 - Dog Act 1976
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<b><i>Dog Act 1976</i></b> s. 10AA - Delegation of local government powers and duties.
<b>Express power or duty delegated</b>	<b><i>Dog Act 1976</i></b> 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) Authorise the delegate to further delegate the power or duty 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

<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authorise a person for the purposes of performing the prescribed office of Registration Officer [Act, s. 3]</li> <li>2. Determine to refuse a dog registration and refund the fee, if any [s.16(2)].</li> <li>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: <ol style="list-style-type: none"> <li>i. the applicant, owner or registered owner has been convicted of an offence or paid a modified penalty within the past 3-years in respect of 2 or more offences against this Act, the <i>Cat Act 2011</i> or the <i>Animal Welfare Act 2002</i> [Act, s. 16(3)(a)]; or</li> <li>ii. the dog is determined to be destructive, unduly mischievous or to be suffering from a contagious or infectious disease [Act, s. 16(3)(b)]; or</li> <li>iii. the delegate is not satisfied that the dog is or will be effectively confined in or at premises where the dog is ordinarily kept [Act, s. 16(3)(c)]; or</li> <li>iv. the dog is required to be microchipped but is not microchipped [Act, s. 16(3)(da)]; or</li> <li>v. the dog is a dangerous dog [Act, s. 16(3)d)].</li> </ol> </li> <li>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 [s15(4A)].</li> <li>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 [Act, s. 16(4)].</li> <li>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)].</li> <li>7. Authority, following seizure, to determine to cause the dog to be detained or destroyed or otherwise disposed of as though it had be found in contravention of section 31, 32 or 33A and had not been claimed [s.17(6)].</li> <li>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 [Act, s. 26(3)].</li> <li>9. Impose conditions in respect of an exemption given pursuant to s. 26(3) of the Act [Act, s. 26 (3)(a)].</li> <li>10. Revoke or vary an exemption given pursuant to s. 26(3) of the Act or a condition on an exemption [Act, s. 26(3)(c)].</li> <li>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 [Act, s. 62(2)(a)].</li> <li>12. Further delegate the power or duty [s. 10AA(3)]</li> </ol>
<b>Delegates</b>	Chief Executive Officer

<b>Conditions</b>	<p>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.</p> <p>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;</p> <p>a) cl. 2.1-Determining of charges and costs</p> <p>b) cl. 3.3(2) - Fees determined for the lodgement of an exemption</p> <p>c) cl. 4.10(4) - Fees determined for the lodgement of an application for a licence for a kennel establishment.</p> <p>3. Item 11 above may only be used if the Director General has permitted the City to use and add information to the centralised registration system.</p>
<b>Express power to subdelegate</b>	<p><b>Dog Act 1976</b></p> <p>s. 10AA(3) - Delegation of local government powers and duties.</p> <p><b>NOTE:</b> Sub delegation only permitted where delegation to the CEO expressly authorises sub delegation).</p>
<b>Statutory framework</b>	<p><b>Dog Act 1976:</b></p> <p>s.17A - If no application for registration made – procedure for giving notice of decision under s16(3).</p> <p><b>City of Armadale Local Law Relating to Dogs</b></p> <p><b>NOTE:</b> Decisions under this Delegation may be referred for review by the State Administrative Tribunal (SAT) [s.16A, 17(4) and (6)].</p>
<b>Record keeping</b>	Exercise of the authority is to be recorded in the City's records management system and Attain.
<b>Date adopted</b>	12 June 2023
<b>Adoption references</b>	C15/6/23

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
12 Jun 2023	New delegation	Nil	C15/6/23
10 Jun 2024	Amended delegation	Annual Review	C16/6/24

<b>Delegation</b>	<b>6.1.2 Dog Act 1976 - dog control and enforcement functions</b>
<b>Category</b>	Community Services Directorate
<b>Head of power</b>	Part 6 - Dog Act 1976
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<b><i>Dog Act 1976</i></b> s. 10AA - Delegation of local government powers and duties.
<b>Express power or duty delegated</b>	<b><i>Dog Act 1976</i></b> s. 10AA(3) Authorise the delegate to further delegate the power or duty s. 29(5) Recovering monies due in court s. 29(11) Power to seize dogs s. 33E(1) Individual dog may be declared to be dangerous dog (declared) s. 33F(1) Issue a notice to owner - dangerous dog declaration s. 33F(6) Owners to be notified of making of declaration s. 33G(4) Seizure and destruction s. 33H(1) and (2) Local government may revoke declaration or proposal to destroy s. 33H(3) give notice in writing to the owner of the dog where 33H(1) is exercised s. 33H(5) Local government may revoke declaration or proposal to destroy s. 33M(1)(a) Local Government expenses to be recoverable s. 39(1) Application for destruction order s. 44 Enforcement proceedings

<b>Function</b>	<ol style="list-style-type: none"> <li>1. Recover monies due under the Act in relation to a dog for which the owner is liable [Act, s. 29 (5)].</li> <li>2. Dispose of or sell a dog which is liable to be destroyed [Act, s. 29(11)].</li> <li>3. Declare an individual dog to be a dangerous dog [Act, s. 33E(1)].</li> <li>4. Give written notice declaring a dog to be a dangerous dog (declared) to the owner of that dog [Act, s. 33F(1)].</li> <li>5. Consider and determine to either dismiss or uphold an objection to the declaration of a dangerous dog [Act, s.33F(6)].</li> <li>6. Consider and determine to either dismiss or uphold an objection to seizure of a dangerous dog [Act, s.33G(4)].</li> <li>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 [Act, s.33H(1)].</li> <li>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)].</li> <li>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 [Act, s. 33H(3)].</li> <li>10. Consider and determine to either dismiss or uphold an objection to a decision to revoke: <ol style="list-style-type: none"> <li>(a) a notice declaring a dog to be dangerous; or</li> <li>(b) a notice proposing to cause a dog to be destroyed [Act, s.33H(5)].</li> </ol> </li> <li>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 [Act, s. 33M(1)(a)].</li> <li>12. Apply to the court for an order to destroy a dog [Act, s. 39(1)].</li> <li>13. Authorise an employee to take proceedings under the Act, whether civil or penal [Act, s. 44 (2)(b)]</li> <li>14. Further delegate the power or duty [Act, s. 10AA(3)]</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	The CEO may further delegate (sub delegate) to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.
<b>Express power to subdelegate</b>	<p><b>Dog Act 1976:</b> s.10AA(3) - Delegation of local government powers and duties.</p> <p><b>NOTE:</b> Sub delegation only permitted where delegation to the CEO expressly authorises sub delegation</p>

<b>Statutory framework</b>	<p><b><i>Dog Act 1976</i></b> s. 17A - If no application for registration made – procedure for giving notice of decision under s. 16(3).</p> <p><b><i>Criminal Procedure Act 2004</i></b> s. 3(1) Terms used - public authority for the purposes of the Act</p> <p>s. 20(1)(b) Who can commence prosecution</p> <p><b>NOTE:</b> Decisions under this Delegation may be referred for review by the State Administrative Tribunal (SAT) [s. 16A, s. 17(4) and (6)].</p>
<b>Policy</b>	Delegation - Legal proceedings
<b>Record keeping</b>	Exercise of authority to be recorded in Record Management System
<b>Date adopted</b>	12 June 2023
<b>Adoption references</b>	C15/6/23

Amendments			
Date	Type	Amendment	References
12 Jun 2023	New delegation	Nil	C15/6/23
10 Jun 2024	Amended delegation	Annual Review	C16/6/24

<b>Delegation</b>	<b>6.1.3 Dog Act 1976 - administration</b>
<b>Category</b>	Community Services Directorate
<b>Head of power</b>	Part 6 - Dog Act 1976
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<b><i>Dog Act 1976</i></b> s. 10AA - Delegation of local government powers and duties
<b>Express power or duty delegated</b>	<b><i>Dog Act 1976</i></b> 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 - dog management facilities s. 14 Register of dogs s. 19 Refund of fee on cancellation s. 27 Licensing of approved kennel establishments s. 48(4) Administration of regulations
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Duty of the local government to administer and enforce the Act [Act, s. 9]</li> <li>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 [Act, s. 10A(1)].</li> <li>3. Establish and maintain a dog management facility [Act, s. 11(1)].</li> <li>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 [Act, s. 14]</li> <li>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 [Act, s. 19]</li> <li>6. Grant or refuse to grant a kennel licence [Act, s. 27(4)]</li> <li>7. Cancel a kennel licence if the delegate is dissatisfied with the conduct of the establishment [Act, s. 27(5) and (6)].</li> <li>8. Undertake civil proceedings under this Act in the name of the local government [Act, s. 44(2)(b)]</li> <li>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 [Act, s. 48(4)].</li> <li>10. Authorise the delegate to further delegate the power or duty [Act, s. 10AA(3)]</li> </ol>
<b>Delegates</b>	Chief Executive Officer

<b>Conditions</b>	<p>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.</p> <p>2. Function 2 above is contingent on the delegate having the authorisation to make payments of the nature, type and spending limit granted to that person.</p> <p>3. Function 2 above is to be read in conjunction with section 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>"</p>
<b>Express power to subdelegate</b>	<p><b>Dog Act 1976</b> s. 10AA(3) - Delegation of local government powers and duties.</p> <p><b>NOTE:</b> Sub delegation only permitted where delegation to the CEO expressly authorises sub delegation).</p>
<b>Statutory framework</b>	<p><b>Dog Act 1976</b> s. 9 - Administrative responsibility</p> <p><b>City of Armadale Local Law Relating to Dogs</b></p> <p><b>NOTE:</b> Decisions under this Delegation may be referred for review by the State Administrative Tribunal (SAT) [s.16A, 17(4) and (6)].</p>
<b>Policy</b>	Delegation - Legal proceedings
<b>Record keeping</b>	The use of the delegation is to be recorded in the City's records management system
<b>Date adopted</b>	12 June 2023
<b>Adoption references</b>	C15/6/23

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
12 Jun 2023	New delegation	Nil	C15/6/23
10 Jun 2024	Amended delegation	Annual Review	C16/6/24



<b>Delegation</b>	<b>7.1.1 Food Act 2008 - appoint Authorised Officers and Designated Officers</b>
<b>Category</b>	Development Services Directorate
<b>Head of power</b>	Part 7 - Food Act 2008
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<b><i>Food Act 2008</i></b> s. 118(2)(b) - Enforcement agency may delegate a function conferred on it
<b>Express power or duty delegated</b>	<b><i>Food Act 2008</i></b> s. 122(1) - Appointment of Authorised Officers s. 126(13) - Infringement Officers
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Appoint a person to be an Authorised Officer for the purpose of the <i>Food Act 2008</i> [Act, s. 122(1)].</li> <li>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> [Act, s. 126(13)].</li> <li>3. Authority to appoint an Authorised Officer to be a Designated Officer (who is prohibited by s. 126(13) from also being a Designated Officer for the purpose of issuing Infringements), for the purpose of extending the time for payment or modified penalties s. 126(6) and determining withdrawal of an Infringement Notice [Act, s. 126(7)].</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<p>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:</p> <ol style="list-style-type: none"> <li>a) Appointment of Authorised Officers as Meat Inspectors.</li> <li>b) Appointment of Authorised Officers.</li> <li>c) Appointment of Authorised Officers – Designated Officers only.</li> <li>d) Appointment of authorised Officers – Appointment of persons to assist with the discharge of duties of an Authorised Officer.</li> </ol> <p>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.</p> <p>3) A list of authorised officers appointed by the enforcement agency is to be prepared and maintained by the delegate.</p> <p>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).</p>
<b>Express power to subdelegate</b>	Nil. <i>Food Regulations 2009</i> do not provide for sub-delegation
<b>Subdelegate conditions</b>	N/A

<b>Statutory framework</b>	<b><i>Food Act 2008</i></b> s. 118(2)(b) - Enforcement agency may delegate a function conferred on it s. 122(1) - Appointment of Authorised Officers s. 122(3) - Requires an Enforcement Agency to maintain a list of appointed Authorised Officers s. 123(1) - Requires an Enforcement Agency to provide each Authorised Officer with a Certificate of Authority, as prescribed s. 126(13) - Infringement Officers
<b>Policy</b>	Nil.
<b>Record keeping</b>	Exercise of the authority is to be recorded in the City's records management system and Attain.
<b>Date adopted</b>	28 April 2025
<b>Adoption references</b>	D2/4/25

<b>Delegation</b>	<b>7.1.2 Food Act 2008 - Prohibition Orders</b>
<b>Category</b>	Development Services Directorate
<b>Head of power</b>	Part 7 - Food Act 2008
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<b><i>Food Act 2008</i></b> s. 118 - Functions of enforcement agencies and delegation s. 118(2)(b) - Enforcement agency may delegate a function conferred on it
<b>Express power or duty delegated</b>	<b><i>Food Act 2008</i></b> s. 65(1) - Prohibition Order s. 66 - Certificate of Clearance to be given in certain circumstances s. 67(4) - Request for re-inspection
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Serve a Prohibition Order on the proprietor of a food business [Act, s. 65(1)].</li> <li>2. Give a Certificate of Clearance, where inspection demonstrates compliance with a Prohibition Order and any relevant Improvement Notices [Act, s. 66].</li> <li>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 [Act, s. 67(4)].</li> </ol>
<b>Delegates</b>	Chief Executive Officer Executive Director Development Services Manager Health Services
<b>Conditions</b>	In accordance with s. 118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.  Note: in the context of <i>Food Act 2008</i> functions and powers, 'CEO' means the Chief Executive Officer of the Department of Health.
<b>Express power to subdelegate</b>	Nil. <i>Food Regulations 2009</i> do not provide for sub-delegation.
<b>Subdelegate conditions</b>	N/A
<b>Statutory framework</b>	<b><i>Food Act 2008</i></b> s. 65(1), (2) - Prohibition Order s. 66 - Certificate of Clearance to be given in certain circumstances s. 67(4) - Request for re-inspection s. 118 - Functions of enforcement agencies and delegation s. 118(2)(b) - Enforcement agency may delegate a function conferred on it  <b><i>Food Regulations 2009</i></b>
<b>Policy</b>	Nil.
<b>Record keeping</b>	Exercise of the authority is to be recorded in the City's records management system and Attain.
<b>Date adopted</b>	28 April 2025

<b>Adoption references</b>	D2/4/25
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<b>Delegation</b>	<b>7.1.3 Food Act 2008 - food business registrations</b>
<b>Category</b>	Development Services Directorate
<b>Head of power</b>	Part 7 - Food Act 2008
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<b><i>Food Act 2008</i></b> s. 118 - Functions of enforcement agencies and delegation s. 118(2)(b) - Enforcement agency may delegate a function conferred on it
<b>Express power or duty delegated</b>	<b><i>Food Act 2008</i></b> 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  <b><i>Food Regulations 2009</i></b> r. 51 Enforcement agency may make list of food businesses publicly available
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Consider applications and determine registration of a food business and grant the application with or without conditions or refuse the registration [Act, s. 110(1) and (5)].</li> <li>2. Vary the conditions or cancel the registration of a food business [Act, s. 112]</li> <li>3. Maintain a register of food businesses in the district [Act, s. 115].</li> <li>4. Make a list of food businesses maintained by the agency under section 115(a) or (b) of the Act, or any part of such a list, publicly available [r. 51]</li> </ol>
<b>Delegates</b>	Chief Executive Officer Executive Director Development Services Manager Health Services
<b>Conditions</b>	<ol style="list-style-type: none"> <li>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: <ol style="list-style-type: none"> <li>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.</li> <li>b. WA Priority Classification System.</li> <li>c. Verification of Food Safety Program Guideline.</li> </ol> </li> <li>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 [Act, s. 110(8)]</li> <li>3. The registration of a food business may only be cancelled on one or more of the grounds prescribed by section 112(2), in the manner prescribed by section 112(4) and (6) of the <i>Food Act 2008</i>.</li> <li>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>.</li> </ol> <p>Note: in the context of <i>Food Act 2008</i> functions and powers, 'CEO' means the Chief Executive Officer of the Department of Health.</p>
<b>Express power to subdelegate</b>	Nil. <i>Food Regulations 2009</i> do not provide for sub-delegation.
<b>Subdelegate conditions</b>	N/A

<b>Statutory framework</b>	<p><b><i>Food Act 2008</i></b></p> <p>s. 110 Registration of food businesses</p> <p>s. 112 Variation of conditions or cancellation of registration of food businesses</p> <p>s. 115 Register of food businesses to be maintained</p> <p>s. 118 - Functions of enforcement agencies and delegation</p> <p>s. 118(2)(b) - Enforcement agency may delegate a function conferred on it</p> <p>s. 119 Conditions on performance of functions by enforcement agencies</p> <p><b><i>Food Regulations 2009</i></b></p> <p>r. 51 Enforcement agency may make list of food businesses publicly available</p>
<b>Policy</b>	Nil.
<b>Record keeping</b>	Exercise of the authority is to be recorded in the City's records management system and Attain.
<b>Date adopted</b>	28 April 2025
<b>Adoption references</b>	D2/4/25

<b>Delegation</b>	<b>7.1.4 Food Act 2008 - enforcement agency powers</b>
<b>Category</b>	Development Services Directorate
<b>Head of power</b>	Part 7 - Food Act 2008
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<b><i>Food Act 2008</i></b> s. 116 - Functions of the CEO s. 117 - CEO may delegate s. 118 - Functions of enforcement agencies and delegation s. 118(2)(b) - Enforcement agency may delegate a function conferred on it s. 118(3) - Delegation subject to conditions [s. 119] and guidelines adopted [s. 120] s. 118(4) - Sub-delegation permissible only if expressly provided in regulations
<b>Express power or duty delegated</b>	<b><i>Food Act 2008</i></b> s. 54 Cost of destruction or disposal of forfeited item. s. 125 Institution of proceedings.
<b>Function</b>	1. Functions and powers of an enforcement agency where the local government is defined as an enforcement agency pursuant to section 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 [Act, s. 125].
<b>Delegates</b>	Chief Executive Officer Executive Director Development Services Manager Health Services
<b>Conditions</b>	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.  Note: in the context of <i>Food Act 2008</i> functions and powers, 'CEO' means the Chief Executive Officer of the Department of Health.
<b>Express power to subdelegate</b>	Nil. <i>Food Regulations 2009</i> do not provide for sub-delegation.
<b>Subdelegate conditions</b>	N/A
<b>Statutory framework</b>	<b><i>Food Act 2008</i></b> s. 54 Cost of destruction or disposal of forfeited item s. 118 Functions of enforcement agencies and delegation s. 125 Institution of proceedings  <b><i>Food Regulations 2009.</i></b>
<b>Record keeping</b>	Exercise of the function is to be recorded in the City's records management system and Attain.
<b>Date adopted</b>	28 April 2025
<b>Adoption references</b>	D2/4/25





<b>Delegation</b>	<b>8.1.1 Public Health Act 2016 - enforcement agency functions</b>
<b>Category</b>	Development Services Directorate
<b>Head of power</b>	Part 8 - Public Health Act 2016 and Health (Miscellaneous Provisions) Act 1911
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<b>Public Health Act 2016</b> s. 21(1)(c) - Enforcement agency may delegate
<b>Express power or duty delegated</b>	<b>Public Health Act 2016</b> s. 22 Reports by and about enforcement agencies s. 24 An enforcement agency may designate a person or class of persons as 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 Provisions related to suspension of registration s. 76 Register of activities and premises to be maintained s. 78 Granting an activity licence 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 an 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 Section 260 Return of seized item 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
<b>Function</b>	Functions and powers of an enforcement agency as defined by section 4(1) of the Public Health Act 2016 (as amended).
<b>Delegates</b>	Chief Executive Officer Coordinator Health Services Executive Director Development Services Manager Health Services
<b>Conditions</b>	Nil.
<b>Express power to subdelegate</b>	Nil. Unless a Regulation enacted under the Public Health Act 2016, specifically authorises a delegated power or duty of an enforcement agency to be further delegated.
<b>Subdelegate conditions</b>	Nil. Ability to sub-delegate is not provided by the <i>Health Act 2016</i> .
<b>Statutory framework</b>	<b>Public Health Act 2016:</b> s. 20 - Conditions on performance of functions by enforcement agencies.
<b>Policy</b>	N/A

<b>Record keeping</b>	Exercise of the authority is to be recorded in the City's records management system and Attain.
<b>Date adopted</b>	28 April 2025
<b>Adoption references</b>	D2/4/25

<b>Delegation</b>	<b>8.1.2 Public Health Act 2016 - appointment of Environmental Health Officers</b>
<b>Category</b>	Development Services Directorate
<b>Head of power</b>	Part 8 - Public Health Act 2016 and Health (Miscellaneous Provisions) Act 1911
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<b>Public Health Act 2016</b> s. 21 - Enforcement agency may delegate
<b>Express power or duty delegated</b>	<b>Public Health Act 2016</b> s. 17 - Appointment of Environmental Health Officers
<b>Function</b>	Appoint one or more persons as an Environmental Health Officer [Act, s. 17].
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ol style="list-style-type: none"> <li>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 [Act, s. 18].</li> <li>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 [Act, s. 17(2)]</li> </ol>
<b>Express power to subdelegate</b>	Nil. Unless a Regulation made under the <i>Public Health Act 2016</i> specifically authorises a delegated power or duty of an enforcement agency to be further delegated.
<b>Subdelegate conditions</b>	N/A
<b>Statutory framework</b>	<b>Public Health Act 2016</b> s. 17 - Appointment of environmental health officers s. 18 - Chief Health Officer to approve qualifications and experience required by environmental health officers s. 21 - Enforcement agency may delegate  <b>Local Government Act 1995</b> s. 5.36 - Local government employees
<b>Policy</b>	Nil.
<b>Record keeping</b>	The exercise of the delegation is to be recorded in the City's records management system and Attain.
<b>Date adopted</b>	28 April 2025
<b>Adoption references</b>	D2/4/25

<b>Delegation</b>	<b>8.1.3 Health (Asbestos) Regulations 1992 - appointments</b>
<b>Category</b>	Development Services Directorate
<b>Head of power</b>	Part 8 - Public Health Act 2016 and Health (Miscellaneous Provisions) Act 1911
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<b><i>Health (Asbestos) Regulations 1992</i></b> r. 15D(7) - Infringement Notices.
<b>Express power or duty delegated</b>	<b><i>Health (Asbestos) Regulations 1992</i></b> r. 15D - Infringement notices (5) A local government may, in writing, appoint persons or classes of persons to be authorised officers or approved officers for the purposes of the <i>Criminal Procedure Act 2004</i> Part 2.
<b>Function</b>	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)].
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<ol style="list-style-type: none"> <li>1. A person cannot be appointed as both an authorised officer and an approved officer.</li> <li>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 [Reg. 15D(6)].</li> <li>3. This Delegation is subject to relevant Department of Health Chief Health Officer Guidelines, as amended from time to time.</li> </ol>
<b>Express power to subdelegate</b>	Nil. <i>Health (Asbestos) Regulations 1992</i> do not provide a power to sub delegate.
<b>Statutory framework</b>	<b><i>Criminal Procedure Act 2004</i></b>
<b>Record keeping</b>	Exercise of the authority is to be recorded in the City's records management system and Attain.
<b>Date adopted</b>	28 April 2025
<b>Adoption references</b>	D2/4/25

<b>Delegation</b>	<b>8.1.4 Public Health Act 2016 - Designation of authorised officers</b>
<b>Category</b>	Development Services Directorate
<b>Head of power</b>	Part 8 - Public Health Act 2016 and Health (Miscellaneous Provisions) Act 1911
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<b>Public Health Act 2016</b> s. 21 - Enforcement agency may delegate
<b>Express power or duty delegated</b>	<b>Public Health Act 2016</b> s. 24(1) and (3) Designation of authorised officers
<b>Function</b>	Designate a person or class of persons as authorised officers — (a)for the purposes of the <i>Public Health Act 2016</i> or another specified Act; or (b)for the purposes of the specified provisions of the <i>Public Health Act 2016</i> or another specified Act; or (c)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 [Act, s. 24(1)]
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	An enforcement agency must not designate a person or class of persons under section 24(1) unless the enforcement agency — (a)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 (b)has regard to any guidelines issued under section 29.
<b>Subdelegate conditions</b>	N/A. Unless expressly provided by Regulations made under the Public Health Act 2016, sub-delegation is not provided for by s. 21.
<b>Statutory framework</b>	<b>Public Health Act 2016</b> s. 20 Conditions on performance of functions by enforcement agencies s. 25 Certain authorised officers required to have qualifications and experience s. 26 Further provisions relating to designations s. 27 Lists of authorised officers to be maintained s. 28 When designation as authorised officer ceases s. 29 Chief Health Officer may issue guidelines about qualifications and experience of authorised officers
<b>Policy</b>	Nil.
<b>Record keeping</b>	Exercise of the authority is to be recorded in the City's records management system and Attain.
<b>Date adopted</b>	28 April 2025
<b>Adoption references</b>	D2/4/25

<b>Delegation</b>	<b>CORPS 6.0 Legal Representation for Councillors and Employees</b>
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	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”.
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	Only in cases where the applicant is the CEO, to on-delegate to the Executive Director Corporate Services.
<b>Subdelegates</b>	Executive Director Corporate Services
<b>Statutory framework</b>	Section 5.42 Local Government Act
<b>Policy</b>	ADM 17 – Legal Representation for Councillors and Employees (Clause 7.1 of the associated Management Practice)
<b>Date adopted</b>	27 May 2019
<b>Adoption references</b>	Resolution - CS43/5/19
<b>Last reviewed</b>	27 May 2019

<b>Delegation</b>	<b>CORPS 7.0 Recognition of Service by Councillors</b>
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	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.
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	Nil
<b>Statutory framework</b>	5.42(1) and 5.100A Local Government Act 1995 34AC Local Government (Administration) Regulations 1996
<b>Policy</b>	EM 14 - Recognition of Service by Councillors
<b>Date adopted</b>	27 May 2019
<b>Adoption references</b>	Resolution - CS43/5/19
<b>Last reviewed</b>	27 May 2019

<b>Delegation</b>	<b>DS 1.0 Planning powers and duties</b>
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	All of the powers and duties of the City of Armadale under the Town Planning Scheme, the Planning and Development Act 2005 and the associated Planning and Development Regulations.
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	Nil
<b>Subdelegates</b>	Yes - Refer to Secondary Delegations
<b>Statutory framework</b>	Section 9.28 Local Government Act Planning and Development Act 2005 and associated Regulations.
<b>Policy</b>	Refer to <a href="#">Planning Policy</a>
<b>Date adopted</b>	27 May 2019
<b>Adoption references</b>	Resolution - D/31/5/19
<b>Last reviewed</b>	27 May 2019



<b>Delegation</b>	<b>DS 2.0 Acquisition of land</b>
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	<p>Delegated authority to acquire land identified in a Development Contribution Plan 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 and/or any associated adopted Infrastructure Cost Schedule:</p> <p>a) 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 / or any associated adopted Infrastructure Cost Schedule; or</p> <p>b) 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 any additional claim that is not significant and/or in accordance with advice from the City's valuer.</p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	Nil
<b>Subdelegates</b>	Yes - Refer to Secondary Delegations
<b>Statutory framework</b>	Section 5.43.(d) Local Government Act
<b>Policy</b>	Nil
<b>Date adopted</b>	27 May 2019
<b>Adoption references</b>	Resolution - D31/5/19
<b>Last reviewed</b>	27 May 2019

<b>Delegation</b>	<b>DS 4.0 Strata title certificates</b>
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Approve and sign Strata Title Certificates which come within boundaries of the Municipality.
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	Nil
<b>Subdelegates</b>	Yes - Refer to Secondary Delegations
<b>Statutory framework</b>	Strata Titles Act 1985
<b>Policy</b>	Nil
<b>Date adopted</b>	27 May 2019
<b>Adoption references</b>	Resolution - D31/5/19
<b>Last reviewed</b>	27 May 2019

<b>Delegation</b>	<b>DS 7.0 Exercise Powers under the Town Planning Scheme Policies, and provide advice/recommendations to the WAPC for Subdivisions, Amalgamations, Strata and Survey Strata applications for all areas of the City</b>
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	<p>Authority to Exercise Powers under the Deemed Provisions, Town Planning Scheme, Policies, and provide advice/recommendations to the WAPC for Subdivisions, Amalgamations, Strata and Survey Strata applications for all areas of the City.</p> <p>The Chief Executive Officer be given full delegation to deal with:</p> <ol style="list-style-type: none"> <li>1. All strata, survey strata, subdivision and amalgamation applications within the City and the Metropolitan Redevelopment Authority Area within Armadale.</li> <li>2. Determination of applications for 'P' Uses, 'D' Uses, 'A' Uses, 'Uses Not Listed' and 'Non-Conforming Uses*'.<sup>*</sup></li> <li>3. Determination of applications for signage and/or advertising devices, illuminated directional signs and directional signs.</li> <li>4. Determination of applications for an extension to the term of a planning approval.</li> <li>5. Where delegation is specifically provided for in accordance with a Council resolution or adopted policy.</li> <li>6. Determination of applications for the establishment or variation of a development envelope, with the exception of development envelopes on lots larger than on (1ha) hectare that propose development envelope modifications that would be larger than the Maximum Development Envelope Size specified on Table 1 of Policy 2.1 – Establishment or Amendment of Development Envelopes.</li> <li>7. Determination of applications for two houses on one lot in a General Rural Zone.</li> <li>8. Determination of setbacks within all areas of the City.</li> <li>9. Determination of variations to the Residential Design Codes.</li> <li>10. Refuse applications for "X" uses in all zones.</li> <li>11. Determine requests to waive or refund in whole or in part payment of a fee for a planning service.</li> <li>12. Determine all applications for commercial vehicle parking, including approvals, refusals and/or renewals.</li> <li>13. Determine or make decisions where an adopted policy requires a discretionary decision regarding policy provisions that refer to "Council" and/or "the City".</li> <li>14. Determine all retrospective applications, including approvals or refusals.</li> <li>15. Determine Outline Development Concept Plans under Policy PLN 3.1.</li> <li>16. Amending or revoking planning approvals.</li> </ol> <p>The Chief Executive Officer also be given full delegation to deal with:</p> <ol style="list-style-type: none"> <li>1. All Notice of Determinations for single houses and outbuildings within all zones.</li> <li>2. Determination of applications for variations to approved group housing and aged person's developments.</li> </ol> <p>* Exemptions:</p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• 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: <ul style="list-style-type: none"> <li>- Fuel Depot;</li> <li>- Hospital;</li> <li>- Industry – Extractive;</li> <li>- Place of Worship</li> </ul> </li> </ul>

<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	Nil
<b>Subdelegates</b>	Yes - Refer to Secondary Delegations
<b>Statutory framework</b>	C1.82 & 83 – Schedule 2 (Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015
<b>Policy</b>	Nil
<b>Date adopted</b>	27 May 2019
<b>Adoption references</b>	Resolution - D31/5/19
<b>Last reviewed</b>	27 May 2019

<b>Delegation</b>	<b>DS 8.0 Exercise discretion on behalf of Council to reach determination, where appropriate, of appeals processed by mediation</b>
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority to perform all functions associated with applications for review and to exercise discretion on behalf of Council to attend and reach determination, where appropriate, of Applications for Review processed by mediation within the State Administrative Tribunal system under the Planning and Development Act 2005.
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	Nil
<b>Subdelegates</b>	Yes - Refer to Secondary Delegations
<b>Statutory framework</b>	C1.82 & 83 – Schedule 2 (Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015
<b>Policy</b>	Nil
<b>Date adopted</b>	27 May 2019
<b>Adoption references</b>	Resolution - D31/5/19
<b>Last reviewed</b>	27 May 2019

<b>Delegation</b>	<b>DS 9.0 Determine applications involving properties listed on the municipal heritage inventory or Local Heritage Survey</b>
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	<p>Authority to Determine Applications involving properties listed on the Municipal Heritage Inventory (Local Heritage Survey).</p> <p><b>Approvals</b>  Delegated authority to approve applications involving properties listed on the Municipal Heritage Inventory or Local Heritage Survey subject to the application satisfying the following criteria:  Applications for development involving properties, objects, structures and places listed as Category 'A' in the Municipal Heritage Inventory (Local Heritage Survey):</p> <ul style="list-style-type: none"> <li>• The proposal is consistent with the current Town Planning Scheme and any Policy provisions that may be relevant;</li> <li>• Consultation has been undertaken with the Heritage Council of Western Australia is undertaken and no response, no objection/comment or favourable advice is received;</li> <li>• Consultation has been undertaken with the Community Heritage Advisory Group (or its members) is undertaken and no response, no objection or favourable advice is received.</li> </ul> <p>Applications for development involving properties, objects, structures and places listed as Categories 'B' through 'F' in the Municipal Heritage Inventory or equivalent category in the Local Heritage Survey:</p> <ul style="list-style-type: none"> <li>• The proposal is consistent with the current Town Planning Scheme and any policy provisions that may be relevant; and</li> <li>• Consultation has been undertaken with the Community Heritage Advisory Group (or its members).</li> </ul> <p><b>Refusals</b>  Delegated authority to refuse applications involving properties listed on the Municipal Heritage Inventory or Local Heritage Survey if any of the following apply:</p> <ul style="list-style-type: none"> <li>• The proposal is not consistent with the current Town Planning Scheme and/or any relevant Policy provisions, or any other planning reason;</li> <li>• The proposal would have a detrimental effect on the integrity of heritage value of the site;</li> <li>• The advice received from the heritage referral agencies or the Community Heritage Advisory Group (or its members) is not favourable to the application.</li> </ul> <p><b>Notes</b>  Where an application has been submitted by a qualified heritage architect or is accompanied by a report from such a professional, this will contribute to a favourable consideration of the application.</p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	Nil
<b>Subdelegates</b>	Yes - Refer to Secondary Delegations
<b>Statutory framework</b>	C1.82 & 83 – Schedule 2 (Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 Town Planning Scheme No 4
<b>Policy</b>	Nil
<b>Date adopted</b>	27 May 2019

<b>Adoption references</b>	Resolution - D31/5/19
<b>Last reviewed</b>	27 May 2019

<b>Delegation</b>	<b>DS 10.0 Determine the necessity, duration and extent of advertising of development services applications</b>
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority to determine 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.
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	Nil
<b>Subdelegates</b>	Yes - Refer to Secondary Delegations
<b>Statutory framework</b>	City of Armadale Town Planning Scheme No 4 & Schedule 2 (Deemed Provisions) of the Planning and Development (Local Planning Schemes) Regulations 2015.
<b>Policy</b>	Nil
<b>Date adopted</b>	27 May 2019
<b>Adoption references</b>	Resolution - D31/5/19
<b>Last reviewed</b>	27 May 2019



<b>Delegation</b>	<b>DS 11.0 Determine requests for tree removal or maintenance</b>
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	<p><b>Approvals</b> Delegated authority to determine requests for tree removal or maintenance if after seeking comments from Council's Manager Parks and no objections are raised, to:</p> <ul style="list-style-type: none"> <li>• Determine requests to remove trees with a trunk circumference in excess of 0.6 metres measured at a height of one (1) metre from the ground in the District Centre, Local Centre and Mixed Business/Residential zone.</li> <li>• Determine requests to remove trees in all other Zones.</li> <li>• Determine requests to maintain trees that are subject to tree preservation orders.</li> </ul> <p>Note: Where appropriate, an arboriculturalist's report can be required to clearly outline whether the removal or maintenance of a tree or trees is necessary.</p> <p><b>Refusals</b> Delegated authority to refuse such applications.</p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	Nil
<b>Subdelegates</b>	Yes - Refer to Secondary Delegations
<b>Statutory framework</b>	City of Armadale Town Planning Scheme No 4
<b>Policy</b>	Nil
<b>Date adopted</b>	27 May 2019
<b>Adoption references</b>	Resolution - D31/5/19
<b>Last reviewed</b>	27 May 2019

<b>Delegation</b>	<b>DS 12.0 Make Decisions, Recommendations and Determine Structure Plans, Activity Centre Plans and Local Development Plans Under Parts 4.5 and 6 of the Deemed Provisions.</b>
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Delegated authority to make all decisions, recommendations and determinations referred to under Part 4 – Structure Plans. Part 5 – Activity Centre Plans and Part 6 – Local Development Plans of the Deemed Provisions and any other related provision under Town Planning Scheme No.4
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	Nil
<b>Subdelegates</b>	Yes - Refer to Secondary Delegations
<b>Statutory framework</b>	City of Armadale Town Planning Scheme No 4 C1.82 & 83 – Schedule 2 (Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015
<b>Policy</b>	Nil
<b>Date adopted</b>	27 May 2019
<b>Adoption references</b>	Resolution - D31/5/19
<b>Last reviewed</b>	27 May 2019

<b>Delegation</b>	<b>DS 13.0 Authority to implement works or grant Credit offsets for infrastructure works in a Development Contribution Plan included in Town Planning Scheme No. 4.</b>
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	<p>Authority to implement works or grant Credit offsets for infrastructure works 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 proposed to be included in Town Planning Scheme No. 4.</p> <p>1. Delegated authority to undertake infrastructure or administrative works or authorise prefunding of infrastructure or administrative works leading to credits or reimbursement under a Development Contribution Plan 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 or included under interim contribution arrangements pertaining to a Development Contribution Plan that is to be included in Town Planning Scheme No.4 subject to the Chief Executive Officer being satisfied that:</p> <p>(i) the works will meet the objectives implicit in the Scheme text or interim contribution arrangements describing the infrastructure or administrative work; and</p> <p>(ii) the works are in accordance with the Development Contribution Plan Scheme or interim contribution arrangements text and specifications or guidance noted in the adopted Infrastructure Cost Schedule, Cost Apportionment Schedule, Development Contribution Plan Report or Deed of Agreement; and</p> <p>(iii) it is timely to fund the works in the context of the Development Contribution Plan or interim contribution arrangements, Forward Financial Planning, the current Development Contribution Plan Reserve Fund balance, the need to act opportunistically to achieve the works, and advice from applicable Development Contribution Plan Planning Steering Groups where appropriate; and</p> <p>(iv) the cost of works to be undertaken are at or below current market rates; or</p> <p>(v) 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 two (2) and three (3) below.</p> <p>2. Where in the opinion of the Chief Executive Officer works may significantly exceed the estimated 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.</p> <p>3. The granting of credits or reimbursements may be conditional upon the owner providing itemised records of expenditure with Credits being accrued only after receipt of expenditure records.</p> <p>4. The Chief Executive Officer is delegated authority to grant credits or credit payments for the acquisition of 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:</p> <p>(i) 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 plus 10%; or</p> <p>(ii) 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 plus 10% and any additional claim that is not significant and/or in accordance with advice from the City's valuer.</p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	Nil
<b>Subdelegates</b>	Yes - Refer to Secondary Delegations

<b>Statutory framework</b>	C1.82 & 83 – Schedule 2 (Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 Town Planning Scheme No. 4.
<b>Policy</b>	Nil
<b>Date adopted</b>	27 May 2019
<b>Adoption references</b>	Resolution - D31/5/19
<b>Last reviewed</b>	27 May 2019

<b>Delegation</b>	<b>DS 14.0 Issue, Refuse, and Rescind Tree Preservation Notices</b>
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	<p>Authority to Issue, Refuse and Rescind Tree Preservation Notices</p> <p>The Chief Executive Officer is delegated authority to:</p> <ul style="list-style-type: none"> <li>• 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;</li> <li>• 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; and</li> <li>• rescind a notice following an assessment or re-assessment of the tree in accordance with Policy PLN 2.4; and</li> <li>• refuse or decline requests to rescind a notice;</li> <li>• 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.</li> </ul>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	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
<b>Subdelegates</b>	Yes - Refer to Secondary Delegations
<b>Statutory framework</b>	Town Planning Scheme No 4 C1.82 & 83 – Schedule 2 (Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015)
<b>Policy</b>	Planning Policy PLN 2.4
<b>Date adopted</b>	27 May 2019
<b>Adoption references</b>	Resolution - D31/5/19
<b>Last reviewed</b>	27 May 2019

<b>Delegation</b>	<b>DS 27.0 Execution of Documents - Landgate</b>
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	<p>That Council pursuant to Section 9.49(A) of the Local Government Act 1995, delegates to the Chief Executive Officer, Executive Director Development Services, Executive Director Technical Services, Executive Manager Development Services, Manager Statutory Planning, authority to sign the following documents and/or deeds on behalf of the City, including lodgement, removal, withdrawal, surrender or modification:</p> <ul style="list-style-type: none"> <li>• Notifications, covenants and easements under the Transfer of Land Act 1893;</li> <li>• Reciprocal access and/or parking agreements;</li> <li>• Rights of carriageway agreements;</li> <li>• Caveats under the Transfer of Land Act 1893; and</li> <li>• Easements or deeds of easement under the Land Administration Act 1997 and/or Strata Titles Act 1985.</li> </ul>
<b>Delegates</b>	<p>Chief Executive Officer  Executive Director Development Services  Executive Director Technical Services  Head of Strategic Planning, Place &amp; Development  Manager Statutory Planning</p>
<b>Conditions</b>	N/A
<b>Statutory framework</b>	<p>Section 9.49(A) (4)&amp;(5) Local Government Act 1995  Transfer of Land Act 1893  Land Administration Act 1997  Strata Titles Act 1985</p>
<b>Policy</b>	<p>ADM 18 - Common Seal  ADM 21 - Execution of Documents</p>
<b>Date adopted</b>	27 May 2019
<b>Adoption references</b>	Resolution - D31/5/19
<b>Last reviewed</b>	27 May 2019

<b>Delegation</b>	<b>New TBC Litter Act 1979 - Withdrawal of Infringements</b>
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Litter Act 1979</i> s30(4a) .... appointed in writing to withdraw infringement notices by the public authority on behalf of which the infringement notice was served.
<b>Express power or duty delegated</b>	<i>Litter Act 1979</i> s30(4a) A withdrawal notice sent under subsection (4) shall be signed by a person appointed in writing to withdraw infringement notices by the public authority on behalf of which the infringement notice was served.
<b>Function</b>	Appointed to withdraw infringement notices issued on behalf of the City of Armadale within 28 days of an infringement being issued.
<b>Delegates</b>	Chief Executive Officer Head of Environment and Sustainability Manager Health Services Manager Ranger & Emergency Services Manager Statutory Planning
<b>Conditions</b>	Managers are only approved to withdraw infringements issued by their own departments.
<b>Express power to subdelegate</b>	Nil
<b>Statutory framework</b>	<i>Litter Act 1979</i>
<b>Policy</b>	Nil
<b>Record keeping</b>	The exercise of this delegation is to be recorded in Attain.
<b>Date adopted</b>	29 September 2020
<b>Adoption references</b>	Council Meeting of 29 September 2020 - CS47/9/20

<b>Delegation</b>	<b>New TBC Control Operations Likely to Create Bush Fire Danger</b>
<b>Head of power</b>	Part 4 - Bush Fires Act 1954
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Bush Fires Act 1954</i> s48 Delegation by local government
<b>Express power or duty delegated</b>	<i>Bush Fires Act 1954</i> s27D Requirements for carriage and deposit of incendiary material <i>Bush Fires Regulations 1954</i> r39C Welding and cutting apparatus, use of in open air r39CA Bee smoker devices, use of in restricted or prohibited burning times etc. r39D Explosives, use of r39E Fireworks, use of
<b>Function</b>	<p>1. Authority to give directions to a Bush Fire Control Officer regarding matters necessary for the prevention of fire arising from:</p> <p>a. a person operating a bee smoker device during a prescribed period (r39CA(5)). b. a person operating welding apparatus, a power operated abrasive cutting disc (r39C(3)). c. a person using explosives (r39D(2)). d. a person using fireworks (r39E(3)).</p> <p>2. Authority to determine directions or requirements for the carriage and deposit of incendiary materials (hot or burning ash, cinders, hot furnace refuse, or any combustible matter that is burning) (s27D). <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></p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	Nil - sub-delegation is prohibited by s48(3)
<b>Statutory framework</b>	<i>Bush Fires Act 1954</i> <i>Bush Fires Regulations 1954</i>
<b>Policy</b>	Nil
<b>Record keeping</b>	The exercise of this delegation is to be recorded in Attain.
<b>Date adopted</b>	26 July 2021
<b>Adoption references</b>	Council meeting of 26 July 2021 - CEO3/7/2021



<b>Delegation</b>	<b>New TBC Recovery of Expenses Incurred through Contraventions of the Bush Fires Act</b>
<b>Head of power</b>	Part 4 - Bush Fires Act 1954
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Bush Fires Act 1954</i> s48 Delegation by local government
<b>Express power or duty delegated</b>	<i>Bush Fires Act 1954</i> s58 General penalty and recovery of expenses incurred
<b>Function</b>	Authority to recover expenses incurred as a result of an offence against the Bush Fires Act, being expenses incurred through the fulfilment of a duty or doing anything for which the Act empowered or required the City of Armadale or those on behalf of the City of Armadale to do (s58).
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	Nil - sub-delegation is prohibited by s48(3)
<b>Statutory framework</b>	<i>Bush Fires Act 1954</i> <i>Bush Fires Regulations 1954</i>
<b>Policy</b>	Nil
<b>Record keeping</b>	The exercise of this delegation is to be recorded in Attain.
<b>Date adopted</b>	26 July 2021
<b>Adoption references</b>	Council Meeting of 26 July 2021 - CEO3/7/21

<b>Delegation</b>	<b>NEW TBC Variations to prohibited and restricted burning periods</b>
<b>Head of power</b>	Part 4 - Bush Fires Act 1954
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Bush Fires Act 1954</i> s17(10) Delegation by Local Government
<b>Express power or duty delegated</b>	<i>Bush Fires Act 1954</i> s17(7)(a) shortening, extending, suspending or reimposing a period of prohibited burning times s17(7)(b) impose a further period of prohibition burning times s17(8) give notice of any variation s18(5)(a)(i) shortening, extending, suspending or reimposing a period of restricted burning times; s18(5)(a)(ii) imposing a further period of restricted burning times; s18(5)(b) vary the prescribed conditions by modifying or suspending all or any of those conditions.
<b>Function</b>	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.
<b>Delegates</b>	Chief Bush Fire Control Officer Mayor
<b>Conditions</b>	Decisions under s17(7) must be undertaken jointly by both the Mayor and the Chief Bush Fire Control Officer, in accordance with section 17(10) and must comply with the procedural requirements of s17(7)(b) and (8).
<b>Express power to subdelegate</b>	NIL - sub-delegation is prohibited by s48(3).
<b>Statutory framework</b>	<i>Bush Fires Act 1954</i> <i>Bush Fire Regulations 1954</i>
<b>Policy</b>	Nil
<b>Record keeping</b>	The exercise of this delegation is to be recorded in Attain by the Chief Bush Fire Control Officer and the record number is to be referenced in the details section.
<b>Date adopted</b>	10 August 2020
<b>Adoption references</b>	Council meeting of 10 August 2020 - C22/8/20

Amendments			
Date	Type	Amendment	References
10 Aug 2020	Amended delegation	Delegation Reviewed and function updated.	Council meeting of 10 August 2020 - C22/8/20

<b>Delegation</b>	<b>NEW TBC Authorised to sign Memorandums of Understanding</b>
<b>Head of power</b>	Part 1 - Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995</i> s 5.42 - Delegation of some powers to the CEO
<b>Express power or duty delegated</b>	<i>Local Government Act 1995</i> - Part 9, Division 3 s9.49A(4) Execution of documents
<b>Function</b>	Authorised to sign Memorandum of Understandings
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<p>Authorised to sign Memorandums of Understanding (MOU) if they satisfy the following conditions -</p> <ul style="list-style-type: none"> <li>• Formalises an existing working arrangement or relationship between the City and government agency/ies, department/s or other government/s;</li> <li>• There is no additional financial contribution in excess of existing budgets required to give effect to the City's obligations under the MOU;</li> <li>• 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</li> <li>• Is consistent with existing policies and strategies.</li> </ul> <p>Memorandum's of Understanding to be entered into other than reference in item 1 are to be presented to Council for approval.</p>
<b>Statutory framework</b>	<i>Local Government Act 1995</i>
<b>Record keeping</b>	The exercise of this delegation is to be recorded in Attain.
<b>Date adopted</b>	29 June 2021
<b>Adoption references</b>	Resolution - CS43/6/21

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
29 Jun 2021	New delegation	New Delegation	Resolution - CS43/6/21

<b>Delegation</b>	<b>NEW TBC Bush Fires Act 1954 - Withdrawal of Infringements (Prescribed Power*)</b>
<b>Head of power</b>	Part 4 - Bush Fires Act 1954
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<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>
<b>Express power or duty delegated</b>	<i>Bush Fires Act 1954</i> s59A(5) - Alternative procedure - infringement notices
<b>Function</b>	Withdrawal of an infringement notice at any time within 60 days after the service of the notice for an offence against this Act.
<b>Delegates</b>	Chief Executive Officer Mayor
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	Nil - Sub-delegation is prohibited by s48(3).
<b>Statutory framework</b>	<i>Bush Fires Act 1954</i> <i>Bush Fire (Infringement) Regulations 1954</i>
<b>Record keeping</b>	The exercise of this prescribed power is to be recorded in Attain.
<b>Date adopted</b>	10 August 2020
<b>Adoption references</b>	Council Meeting of 10 August 2020 - C22/8/20

<b>Delegation</b>	<b>NEW TBC Bush Fires Act 1954 - Prosecution of Offences</b>
<b>Head of power</b>	Part 4 - Bush Fires Act 1954
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Bush Fires Act 1954</i> s48 Delegation by local government s59(3) Prosecution of offence - delegation
<b>Express power or duty delegated</b>	Bush Fires Act 1954 s59 Prosecution of offences s59A(2) Alternative Procedure - infringement notice
<b>Function</b>	Authority to: <ol style="list-style-type: none"> <li>1. Institute and carry on proceedings against a person for an offence alleged to be committed against this Act [s59].</li> <li>2. Serve an infringement notice for an offence against this Act s59A(2).</li> </ol>
<b>Delegates</b>	Chief Bush Fire Control Officer Chief Executive Officer Fire Prevention Officer Manager Ranger & Emergency Services Senior Ranger
<b>Conditions</b>	<ol style="list-style-type: none"> <li>1. Authority to institute or initiate a prosecution must have the express approval of the CEO, or where deemed by the CEO by the approval of Council, prior to commencement.</li> <li>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>.</li> </ol>
<b>Express power to subdelegate</b>	Nil - Sub-delegation is prohibited by s48(3).
<b>Statutory framework</b>	<i>Bush Fires Act 1954</i> <i>Bush Fires (Infringement) Regulations 1978</i>
<b>Policy</b>	Nil
<b>Record keeping</b>	The exercise of this delegation is to be recorded in Attain.
<b>Date adopted</b>	10 August 2020
<b>Adoption references</b>	Council Meeting of 10 August 2020 - C22/8/20

<b>Delegation</b>	<b>NEW TBC Planning, building and other development related applications where the City is the applicant / land owner</b>
<b>Head of power</b>	Part 1 - Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995</i> s5.42 Delegation of some power and duties to the CEO
<b>Express power or duty delegated</b>	<i>Local Government Act 1995</i> - Part 9, Division 3 s9.49(4) Execution of Documents
<b>Function</b>	Authorised to sign planning, building and other development related applications where the City is the applicant and/or the land owner.
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	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.
<b>Express power to subdelegate</b>	Nil
<b>Statutory framework</b>	<i>Local Government Act 1995</i>
<b>Policy</b>	Nil
<b>Record keeping</b>	The exercise of this delegation is to be recorded in Attain.
<b>Date adopted</b>	24 August 2020
<b>Adoption references</b>	Council Meeting of 24 August 2020 - CS39/8/20

<b>Delegation</b>	<b>NEW TBC Firearms Act 1973 - Power and duties</b>
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995</i> s5.42 Delegation of some power to the CEO
<b>Express power or duty delegated</b>	<i>Firearms Act 1973</i> s9A(4) Duration and renewal of licence s16(2)(a) Authorisation of employees s30A Sale and disposal of firearms s30B Loss, theft, destruction, or disposal out of State to be reported s31(2) Records  <i>Firearm Regulations 1974</i> s11A Storage Security Requirements
<b>Function</b>	Authorised to:  <ol style="list-style-type: none"> <li>1. Exercise any of the City's powers or the discharge of any of its duties under the Firearms Act 1973.</li> <li>2. Appoint such persons to be authorised to possess, carry or use a firearm in accordance with the licence and for performing particular functions under this Act.</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	<i>Firearms Act 1973</i> This delegation is subject to:  <ol style="list-style-type: none"> <li>1. Annual review of the corporate firearm licence as permitted by section 16(1)(c).</li> <li>2. Authorisation of employees to possess, carry or use a firearm in accordance with licence. Authorisation only to be given to persons employed by the City and approved by the Chief Executive Officer.</li> <li>3. Sale or disposal of firearms to comply with section 30A and section 3.58 of the <i>Local Government Act 1995</i>.</li> <li>4. Any loss, theft, destruction, or disposal out of State, to be reported to the Commissioner.</li> <li>5. Compile, maintain and furnish records in such manner as prescribed.</li> </ol>
<b>Statutory framework</b>	<i>Firearms Act 1973</i> <i>Firearms Regulations 1974</i> <i>Local Government Act 1995</i>
<b>Policy</b>	Nil
<b>Record keeping</b>	The exercise of this delegation is to be recorded in Attain.
<b>Date adopted</b>	9 November 2020
<b>Adoption references</b>	Council Meeting of 9 November 2020 - C39/11/20

<b>Delegation</b>	<b>NEW TBC Bush Fires Act 1954 - Make Request to FES Commissioner - Control of Fire</b>
<b>Head of power</b>	Part 4 - Bush Fires Act 1954
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Bush Fires Act 1954</i> s48 Delegation by local government
<b>Express power or duty delegated</b>	<i>Bush Fires Act 1954</i> s13(4) Duties and powers of bush fire liaison officers
<b>Function</b>	1. 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 (s13(4)).
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	Nil - sub-delegation prohibited by s48(3)
<b>Statutory framework</b>	<i>Bush Fires Act 1954</i> <i>Bush Fires Regulations 1954</i>
<b>Policy</b>	Nil
<b>Record keeping</b>	The exercise of this delegation is to be recorded in Attain.
<b>Date adopted</b>	26 July 2021
<b>Adoption references</b>	Council Meeting of 26 July 2021 - CEO3/7/21



<b>Delegation</b>	<b>NEW TBC Prohibited Burning Times - Control Activities</b>
<b>Head of power</b>	Part 4 - Bush Fires Act 1954
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Bush Fires Act 1954</i> s48 Delegation by local government
<b>Express power or duty delegated</b>	<i>Bush Fires Act 1954</i> s27(2) and (3) Prohibition on use of tractors or engines except under certain conditions s28(4) and (5) Occupier of land to extinguish bush fire occurring on own land Bush Fire Regulations 1954: r15 Permit to burn (Act s18), form of and apply for after refusal etc. r38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times r39B Crop dusters etc., use of in restricted or prohibited burning times
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to determine permits to burn during prohibited burning times that have previously been refused by a Bush Fire Control Officer (r15).</li> <li>2. Authority to declare that the use of any harvesting machinery on any land under crop during the whole or any part of any Sunday or public holiday in the whole or a specified part of the District during Restricted Burning Times is prohibited, unless written consent of a Bush Fire Control Officer is obtained (r38C).</li> <li>3. Authority to determine, during a Prohibited Burning Time, if a firebreak around a landing ground for an aeroplane has been satisfactorily prepared (r39B(2)).</li> <li>4. Authority to issue directions, during a Prohibited Burning Time, to a Bush Fire Control Officer, regarding matters necessary for the prevention of fire on land used as a landing ground for an aeroplane (r39B(3)).</li> <li>5. Authority to prohibit the use of tractors, engines or self-propelled harvester, during a Prohibited Burning Times, and to give permission for use of same during the Restricted Burning Time subject to compliance with requirements specified in a notices (s27(2) and (3)).</li> <li>6. Authority to 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 (s28(5)).</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	Nil - sub-delegation is prohibited by s48(3)
<b>Statutory framework</b>	<i>Bush Fires Act 1954</i> <i>Bush Fires Regulations 1954</i>
<b>Policy</b>	Nil
<b>Record keeping</b>	The exercise of this delegation must be recorded in Attain.
<b>Date adopted</b>	26 July 2021
<b>Adoption references</b>	Council meeting of 26 July 2021 - CEO3/7/2021



<b>Delegation</b>	<b>NEW TBC Restricted Burning Times - Vary and Control Activities</b>
<b>Head of power</b>	Part 4 - Bush Fires Act 1954
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Bush Fires Act 1954</i> s48 Delegation by local government
<b>Express power or duty delegated</b>	<i>Bush Fires Act 1954</i> s22(6) and (7) Burning on exempt land and land adjoining exempt land s27(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> r38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times r39B Crop dusters etc., use of in restricted or prohibited burning times
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to arrange with the occupier of exempt land, the occupier of land adjoining it and the Bush Fire Brigade to cooperate in burning fire-breaks and require the occupier of adjoining land to provide by the date of the burning, ploughed or cleared fire-breaks parallel to the common boundary (s22(6) and (7)).</li> <li>2. Authority to declare that the use of any harvesting machinery on any land under crop during the whole or any part of any Sunday or public holiday in the whole or a specified part of the District during Restricted Burning Times is prohibited, unless written consent of a Bush Fire Control Officer is obtained (r38C).</li> <li>3. Authority to determine, during a Restricted Burning Time, if a firebreak around a landing ground for an aeroplane has been satisfactorily prepared (r.39B).</li> <li>4. Authority to issue directions, during a Restricted Burning Time, to a Bush Fire Control Officer, regarding matters necessary for the prevention of fire on land used as a landing ground for an aeroplane (r39B(3)).</li> <li>5. Authority to prohibit the use of tractors, engines or self-propelled harvester, during a Restricted Burning Times, and to give permission for use of same during the Restricted Burning Time subject to compliance with requirements specified in a notice (s27(2) and (3)).</li> <li>6. Authority to 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 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 (s28(5)).</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	Nil - sub-delegation prohibited by s48(3)
<b>Statutory framework</b>	<i>Bush Fires Act 1954</i> <i>Bush Fires Regulations 1954</i>
<b>Policy</b>	Nil
<b>Record keeping</b>	The exercise of this delegation is to be recorded in Attain.
<b>Date adopted</b>	26 July 2021

<b>Adoption references</b>	Council meeting of 26 July 2021 - CEO3/7/2021
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<b>Delegation</b>	<b>NEW TBC Burning Garden Refuse/Open Air Fires</b>
<b>Head of power</b>	Part 4 - Bush Fires Act 1954
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Bush Fires Act 1954</i> s48 Delegation by local government
<b>Express power or duty delegated</b>	<i>Bush Fires Act 1954</i> s24F Burning garden refuse during limited burning times s24G Minister or local government may further restrict burning of garden refuse s25 No fire to be lit in open air unless certain precautions taken s25A Power of Minister to exempt from provisions of section 25 <i>Bush Fires Regulations 1954</i> r27(3) Permit, issue of
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to give written permission, during prohibited times and restricted times, for an incinerator located within 2m of a building or fence, only where satisfied it is not likely to create a fire hazard (s24F(2)(b)(ii) and (4)).</li> <li>2. Authority to prohibit or impose restrictions on the burning of garden refuse that is otherwise permitted under s24F (s24G(2)). <ol style="list-style-type: none"> <li>a. Authority to issue directions to an authorised officer as to the manner in which or the conditions under which permits to burn plants or plant refuse shall be issued in the District (r27 (3) and r33(5)).</li> <li>b. Authority to prohibit (object to) the issuing of a permit for the burning of a proclaimed plan growing upon any land within the District (r34).</li> </ol> </li> <li>3. Authority to provide written approval, during prohibited times and restricted times, for fires to be lit for the purposes of: <ol style="list-style-type: none"> <li>a. camping or cooking (s25(1)(a)).</li> <li>b. conversion of bush into charcoal or the production of lime, in consultation with an authorised CALM Act officer (s25(1)(b)).</li> </ol> </li> <li>4. Authority to 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 (s25(1a) and (1b)).</li> <li>5. Authority to serve written notice on a person to whom an exemption has been given under s25 for lighting a fire in open air, prohibiting that person from lighting a fire and to determine conditions on the notice (s25A(5)).</li> </ol>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	Nil - sub-delegation is prohibited by s48(3)
<b>Statutory framework</b>	<i>Bush Fires Act 1954</i> <i>Bush Fires Regulations 1954</i>
<b>Policy</b>	Nil
<b>Record keeping</b>	The exercise of this delegation is to be recorded in Attain.
<b>Date adopted</b>	26 July 2021

<b>Adoption references</b>	Council meeting of 26 July 2021 - CEO3/7/2021
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<b>Delegation</b>	<b>NEW TBC Firebreaks</b>
<b>Head of power</b>	Part 4 - Bush Fires Act 1954
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Bush Fires Act 1954</i> s48 Delegation by local government
<b>Express power or duty delegated</b>	<i>Bush Fires Act 1954</i> s33 Local government may require occupier of land to plough or clear fire-breaks
<b>Function</b>	<p>1. Authority to give written notice to an owner or occupier of land or all owners or occupiers of land within the District, requiring, to the satisfaction of the City of Armadale:</p> <p>a. clearing of firebreaks as determined necessary and specified in the notice; and</p> <p>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</p> <p>c. as a separate or coordinated action with any other person carry out similar actions (s33(1)).</p> <p>2. Authority to direct a Bush Fire Control Officer or any other employee to enter onto the land of an owner or occupier to carry out the requisitions of the notice which have not been complied with (s33(4)).</p> <p>a. Authority to recover any costs and expenses incurred in doing the acts, matters or things required to carry out the requisitions of the notice (s33(5)).</p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	Nil - sub-delegation is prohibited by s48(3)
<b>Statutory framework</b>	<i>Bush Fires Act 1954</i> <i>Bush Fires Regulations 1954</i>
<b>Policy</b>	FIRE 1 - Firebreaks
<b>Record keeping</b>	The exercise of this delegation is to be recorded in Attain.
<b>Date adopted</b>	26 July 2021
<b>Adoption references</b>	Council meeting of 26 July 2021 - CEO3/7/2021

<b>Delegation</b>	<b>NEW TBC Appoint a Bush Fire Control Officer/s and Fire Weather Officer</b>
<b>Head of power</b>	Part 4 - Bush Fires Act 1954
<b>Delegator</b>	Council
<b>Express power to delegate</b>	Bush Fires Act 1954 s48 Delegation by local government
<b>Express power or duty delegated</b>	<i>Bush Fires Act 1954</i> s38 Local Government may appoint bush fire control officer
<b>Function</b>	<p>1. Authority to appoint persons to be Bush Fire Control Officers for the purposes of the Bush Fires Act 1954; and</p> <p>a. Of those Officers, appoint one as the Chief Bush Fire Control Officer and one as the Deputy Chief Bush Fire Control Officer; and</p> <p>b. Determine the respective seniority of the other Bush Fire Officers so appointed (s38(1)).</p> <p>2. Authority to issue directions to a Bush Fire Control Officer to burn on or at the margins of a road reserve under the care, control and management of the City of Armadale (s38(5A))</p> <p>3. Authority to appoint a Fire Weather Officer, selected from senior Bush Fire Control Officers previously appointed and where more than one Fire Weather Officer is appointed, define a part of the District in which each Fire Weather Officer shall have exclusive right to exercise the powers of s38(17). (s38(8) and (9)).</p> <p>a. Authority to appoint deputy Fire Weather Officer/s as considered necessary and where two or more deputies are appointed, determine seniority (s38(10)).</p>
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	Nil - sub-delegations is prohibited by s48(3)
<b>Statutory framework</b>	<i>Bush Fires Act 1954</i> <i>Bush Fires Regulations 1954</i>
<b>Policy</b>	Nil
<b>Record keeping</b>	The exercise of this delegation is to be recorded in Attain.
<b>Date adopted</b>	26 July 2021
<b>Adoption references</b>	Council meeting of 26 July 2021 - CEO3/7/2021



<b>Delegation</b>	<b>NEW TBC Control and Extinguishment of Bush Fires</b>
<b>Head of power</b>	Part 4 - Bush Fires Act 1954
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Bush Fires Act 1954</i> s48 Delegation by local government
<b>Express power or duty delegated</b>	<i>Bush Fires Act 1954</i> s46 Bush fire control officer or forest officer may postpone lighting fire
<b>Function</b>	1. Authority to prohibit or postpone the lighting of a fire, despite a permit having been issued, where in the opinion of the Delegate the lighting of a fire would be or become a source of danger by escaping from the land on which it is proposed to be lit (s46(1A)). a. Where it is proposed that the fire will be lit on land within 3kms of the boundary of forest land, and an authorised CALM Act office 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 (s46(1B)).
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	Nil - sub-delegation is prohibited by s48(3)
<b>Statutory framework</b>	<i>Bush Fires Act 1954</i> <i>Bush Fires Regulations 1954</i>
<b>Policy</b>	Nil
<b>Record keeping</b>	The exercise of this delegation is to be recorded in Attain.
<b>Date adopted</b>	26 July 2021
<b>Adoption references</b>	Council meeting of 26 July 2021 - CEO3/7/2021

<b>Delegation</b>	<b>TS 9.0 Graffiti Vandalism</b>
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	The Chief Executive Officer is delegated authority to exercise of all its powers and the discharge of all its duties under Part 3 of this Act.
<b>Delegates</b>	Chief Executive Officer
<b>Conditions</b>	Nil
<b>Subdelegates</b>	Yes - Refer to Secondary Delegations
<b>Statutory framework</b>	Graffiti Vandalism Act 2016
<b>Policy</b>	ENG 16 - Graffiti
<b>Date adopted</b>	13 May 2019
<b>Adoption references</b>	Resolution - T32/5/19
<b>Last reviewed</b>	13 May 2019

## AMENDMENTS

Delegation	Date	Type	Amendment	References
1.1.1 Appointment of Acting Chief Executive Officer	26 Jun 2023	New delegation	N/A	CS20/6/23
1.1.1 Appointment of Acting Chief Executive Officer	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	26 Jun 2023	New delegation	N/A	CS20/6/23
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
1.1.3 Administration of leases and licences	12 Jun 2023	New delegation	Nil	C15/6/23
1.1.3 Administration of leases and licences	10 Jun 2024	Amended delegation	Annual Review	C16/6/24
1.1.4 Compensation for damage incurred when performing executive function	12 Jun 2023	New delegation	Nil	T2/6/23
1.1.4 Compensation for damage incurred when performing executive function	10 Jun 2024	Amended delegation	Annual Review	T4/6/24
1.1.5 Power of entry	12 Jun 2023	New delegation	Nil	T2/6/23
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
1.1.6 Declare vehicle is abandoned vehicle wreck	12 Jun 2023	New delegation	Nil	C15/6/23
1.1.6 Declare vehicle is abandoned vehicle wreck	10 Jun 2024	Amended delegation	Annual Review	C16/6/24

Delegation	Date	Type	Amendment	References
1.1.7 Dealing with confiscated, impounded or uncollected goods	12 Jun 2023	New delegation	Nil	C15/6/23
1.1.7 Dealing with confiscated, impounded or uncollected goods	10 Jun 2024	Amended delegation	Annual Review	C16/6/24
1.1.8 Disposal of sick or injured animals	12 Jun 2023	New delegation	Nil	C15/6/23
1.1.8 Disposal of sick or injured animals	10 Jun 2024	Amended delegation	Annual Review	C16/6/24
1.1.9 Closing certain thoroughfares to vehicles	12 Jun 2023	New delegation	Nil	T2/6/23
1.1.9 Closing certain thoroughfares to vehicles	10 Jun 2024	Amended delegation	Annual Review	T4/6/24
1.1.10 Reserves under control of the local government	12 Jun 2023	New delegation	Nil	T2/6/23
1.1.10 Reserves under control of the local government	10 Jun 2024	Amended delegation	Annual Review	T4/6/24
1.1.11 Obstruction of footpaths and thoroughfares	12 Jun 2023	New delegation	Nil	T2/6/23
1.1.11 Obstruction of footpaths and thoroughfares	10 Jun 2024	Amended delegation	Annual Review	T4/6/24
1.1.12 Public thoroughfare - dangerous excavations	12 Jun 2023	New delegation	Nil	T2/6/23
1.1.12 Public thoroughfare - dangerous excavations	10 Jun 2024	Amended delegation	Annual Review	T4/6/24
1.1.13 Requirement to construct, repair or remove crossing	12 Jun 2023	New delegation	Nil	T2/6/23
1.1.13 Requirement to construct, repair or remove crossing	10 Jun 2024	Amended delegation	Annual Review	T4/6/24

Delegation	Date	Type	Amendment	References
1.1.14 Private works on, over or under public places	12 Jun 2023	New delegation	Nil	T2/6/23
1.1.14 Private works on, over or under public places	10 Jun 2024	Amended delegation	Annual Review	T4/6/24
1.1.15 Notices requiring certain things to be done by owner or occupier of land	12 Jun 2023	New delegation	Nil	T2/6/23
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
1.1.16 Expressions of interest for goods and services	26 Jun 2023	New delegation	N/A	CS20/6/23
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
1.1.17 Tenders for goods and services	26 Jun 2023	New delegation	N/A	CS20/6/23
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
1.1.18 Panels of pre-qualified suppliers for goods and services	26 Jun 2023	New delegation	N/A	CS20/6/23

Delegation	Date	Type	Amendment	References
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
1.1.19 Disposing of property involving land and buildings	24 Jun 2024	Amended delegation	Annual Review	CS33/6/24
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	22 Jul 2024	Amended delegation	Disposal thresholds clarified	T2/6/23
1.1.21 Payments from municipal and trust funds	26 Jun 2023	New delegation	N/A	CS20/6/23
1.1.21 Payments from municipal and trust funds	24 Jun 2024	Amended delegation	Annual Review	CS33/6/24
1.1.22 Defer, write off, grant a concession or authorise a waiver for monies owing	26 Jun 2023	New delegation	N/A	CS20/6/23
1.1.22 Defer, write off, grant a concession or authorise a waiver for monies owing	24 Jun 2024	Amended delegation	Annual Review	CS33/6/24
1.1.23 Power to invest and manage investments	26 Jun 2023	New delegation	N/A	CS20/6/23
1.1.23 Power to invest and manage investments	24 Jun 2024	Amended delegation	Annual Review	CS33/6/24
1.1.24 Rate record amendment	26 Jun 2023	New delegation	N/A	CS20/6/23
1.1.24 Rate record amendment	24 Jun 2024	Amended delegation	Annual Review	CS33/6/24
1.1.25 Agreement for payment of rates and service charges	26 Jun 2023	New delegation	N/A	CS20/6/23

Delegation	Date	Type	Amendment	References
1.1.25 Agreement for payment of rates and service charges	24 Jun 2024	Amended delegation	Annual Review	CS33/6/24
1.1.26 Determine due dates for rates or service charges	26 Jun 2023	New delegation	N/A	CS20/6/23
1.1.26 Determine due dates for rates or service charges	24 Jun 2024	Amended delegation	Annual Review	CS33/6/24
1.1.27 Rate Record - Objections	26 Jun 2023	New delegation	N/A	CS20/6/23
1.1.27 Rate Record - Objections	24 Jun 2024	Amended delegation	Annual Review	CS33/6/24
1.1.29 Contract formalities	26 Jun 2023	New delegation	N/A	CS20/6/23
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
1.1.30 Appointment of Poundkeepers	12 Jun 2023	New delegation	Nil	C15/6/23
1.1.30 Appointment of Poundkeepers	10 Jun 2024	Amended delegation	Annual Review	C16/6/24
1.1.31 Free use of local government facilities	12 Jun 2023	New delegation	Nil	C15/6/23
1.1.31 Free use of local government facilities	10 Jun 2024	Amended delegation	Annual Review	C16/6/24
1.1.32 Donations, community grants and requests for financial assistance	12 Jun 2023	New delegation	Nil	C15/6/23
1.1.32 Donations, community grants and requests for financial assistance	10 Jun 2024	Amended delegation	Annual Review	C16/6/24
1.1.34 Sponsorship and grant applications, agreements and acquittals	12 Jun 2023	New delegation	Nil	C15/6/23

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
1.1.35 Particular things local governments can do on land that is not local government property	12 Jun 2023	New delegation	N/A	T2/6/23
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
2.1.1 Local Law Relating to Dogs - licencing and administration	12 Jun 2023	New delegation	Nil	C15/6/23
2.1.1 Local Law Relating to Dogs - licencing and administration	10 Jun 2024	Amended delegation	Annual Review	C16/6/24
2.1.2 Administration of City of Armadale Local Laws	26 Jun 2023	New delegation	N/A	CS20/6/23
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
2.1.3 Local Government Property Local Law - Approve, issue and determine conditions of permits	12 Jun 2023	New delegation	Nil	C15/6/23
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
2.1.4 Local Government Property Local Law - administration	12 Jun 2023	New delegation	Nil	C15/6/23



Delegation	Date	Type	Amendment	References
2.1.4 Local Government Property Local Law - administration	10 Jun 2024	Amended delegation	Annual Review	C16/6/24
2.1.8 Bush Fire Brigades Local Law	12 Jun 2023	New delegation	Nil	C15/6/23
5.1.1 Cat Act 2011 - administration of functions and powers	12 Jun 2023	New delegation	Nil	C15/6/23
5.1.1 Cat Act 2011 - administration of functions and powers	10 Jun 2024	Amended delegation	Annual Review	C16/6/24
6.1.1 Dog Act 1976 - registration functions	12 Jun 2023	New delegation	Nil	C15/6/23
6.1.1 Dog Act 1976 - registration functions	10 Jun 2024	Amended delegation	Annual Review	C16/6/24
6.1.2 Dog Act 1976 - dog control and enforcement functions	12 Jun 2023	New delegation	Nil	C15/6/23
6.1.2 Dog Act 1976 - dog control and enforcement functions	10 Jun 2024	Amended delegation	Annual Review	C16/6/24
6.1.3 Dog Act 1976 - administration	12 Jun 2023	New delegation	Nil	C15/6/23
6.1.3 Dog Act 1976 - administration	10 Jun 2024	Amended delegation	Annual Review	C16/6/24
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

Delegation	Date	Type	Amendment	References
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
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

Delegation	Date	Type	Amendment	References
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
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

Delegation	Date	Type	Amendment	References
NEW TBC Variations to prohibited and restricted burning periods	10 Aug 2020	Amended delegation	Delegation Reviewed and function updated.	Council meeting of 10 August 2020 - C22/8/20
NEW TBC Authorised to sign Memorandums of Understanding	29 Jun 2021	New delegation	New Delegation	Resolution - CS43/6/21
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
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 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 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 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 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 Appointment of Authorised Persons / Authorised Officers	12 Jun 2023	Repealed	Repealed by Council 26/06/2023	CS20/6/23
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

Delegation	Date	Type	Amendment	References
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 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 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 Power to Invest	26 Jun 2023	Repealed	Replaced by 1.1.23 Power to invest and manage investments	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 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 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

Delegation	Date	Type	Amendment	References
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