

Delegations Register

Chief Executive Officer to Officers



Updated 10 September 2025

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.

Register of Delegated Authority

Delegations from the Chief Executive Officer to Officers

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DELEGATIONS

Part 1 - Local Government Act 1995

Local Government Act 1995

Delegation	1.2.5 Power of entry - emergency powers (sub-delegation)
Category	Technical Services Directorate
Head of power	Part 01 - Local Government Act 1995
Delegator	Chief Executive Officer
Express power to delegate	Local Government Act 1995 s. 5.44 - CEO may delegate powers and duties to other employees
Express power or duty delegated	Local Government Act 1995 s. 3.28 - When this Subdivision applies s. 3.34 - Entry in an emergency
Function	Execute entry in an emergency, using such force as is reasonable [Act, s. 3.34(1) and (3)]
Delegates	Executive Director Community Services Executive Director Technical Services Head of Service Delivery Manager Ranger & Emergency Services Senior Ranger
Conditions	Entry to property in an emergency may only be carried out in the circumstances prescribed by s. 3.34(2) of the Act.
Express power to subdelegate	Nil.
Subdelegate conditions	N/A
Statutory framework	Local Government Act 1995 s. 3.34 - Entry in an emergency s. 5.44 - CEO may delegate some powers and duties to other employees
Policy	Nil.
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	22 December 2023
Adoption references	CEO approval CE/153473/23

Delegation	1.2.6 Declare vehicle is abandoned vehicle wreck (sub-delegation)
Category	Community Services Directorate
Head of power	Part 01 - Local Government Act 1995
Delegator	Chief Executive Officer
Express power to delegate	Local Government Act 1995 5.44 - CEO may delegate powers and duties to other employees
Express power or duty delegated	Local Government Act 1995 s. 3.40A Abandoned vehicle wreck may be taken
Function	Form an opinion that a vehicle is an abandoned vehicle wreck [Act, s. 3.40A(1)] Give notice to the owner of a vehicle removed pursuant to s. 3.40A(1) that the vehicle may be collected from a place specified during such hours as are specified in the notice [Act, s. 3.40A (2)]. Declare that an impounded vehicle is an abandoned vehicle wreck [Act, s. 3.40A(4)].
Delegates	Executive Director Community Services Manager Ranger & Emergency Services
Conditions	1. The Delegate is to ensure that, if, within 7 days after a vehicle is removed under s. 3.40A(1), the owner of the vehicle is identified, the local government is to give notice to that person advising that the vehicle may be collected from a place specified during such hours as are specified in the notice. 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 1.1.7 - Dealing with confiscated, impounded or uncollected goods. 4. Compliance with - regulation 29A of the <i>Local Government (Functions and General) Regulations 1996</i> - Abandoned vehicle wrecks, value etc. prescribed for [Act, s. 3.40A(5)(c)] NOTE: Declared abandoned vehicle wreck may only be removed and impounded by a person duly authorised under s.3.40A(1).
Express power to subdelegate	Nil.
Subdelegate conditions	N/A
Statutory framework	Local Government Act 1995 5.44 - CEO may delegate powers and duties to other employees s. 3.40A Abandoned vehicle wreck may be taken
Policy	Nil.
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	22 December 2023
Adoption references	CEO approval CE/153473/23

Delegation	1.2.7 Dealing with confiscated, impounded or uncollected goods (sub-delegation)
Category	Community Services Directorate
Head of power	Part 01 - Local Government Act 1995
Delegator	Chief Executive Officer
Express power to delegate	Local Government Act 1995 s. 5.44 - CEO may delegate powers and duties to other employees
Express power or duty delegated	Local Government Act 1995 s. 3.47 - Confiscated or uncollected goods, disposal of
Function	<ol style="list-style-type: none"> 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]. 2. 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]. 3. Sell or otherwise dispose of uncollected goods or vehicles that have been ordered to be confiscated under s.3.43 [Act, s. 3.47].
Delegates	Executive Director Community Services Manager Ranger & Emergency Services
Conditions	Nil.
Express power to subdelegate	N/A
Subdelegate conditions	N/A
Statutory framework	Local Government Act 1995 s. 5.44 - CEO may delegate powers and duties to other employees s. 3.47 - Confiscated or uncollected goods, disposal of
Policy	Nil
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	22 December 2023
Adoption references	CEO approval CE/153473/23

Delegation	1.2.8 Disposal of sick or injured animals (sub-delegation)
Category	Community Services Directorate
Head of power	Part 01 - Local Government Act 1995
Delegator	Chief Executive Officer
Express power to delegate	Local Government Act 1995 s. 5.44 - CEO may delegate powers and duties to other employees
Express power or duty delegated	Local Government Act 1995 s. 3.47A Sick or injured animals, disposal of s. 3.48 Impounding expenses, recover of
Function	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)].
Delegates	Manager Ranger & Emergency Services
Conditions	1) An animal must not be destroyed unless — a) because of the state of the animal, destroying it is urgent; or b) reasonable steps have been taken to notify the owner and allowed the owner a reasonable opportunity to collect the animal. 2) Sub-condition (b) does not justify the destruction of an animal before it has been impounded for at least 7 days.
Express power to subdelegate	Nil.
Subdelegate conditions	N/A
Statutory framework	Local Government Act 1995 s. 3.47A Sick or injured animals, disposal of
Policy	Nil.
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	22 December 2023
Adoption references	CEO approval CE/153473/23

Delegation	1.2.9 Closing certain thoroughfares to vehicles (sub-delegation)
Category	Technical Services Directorate
Head of power	Part 01 - Local Government Act 1995
Delegator	Chief Executive Officer
Express power to delegate	Local Government Act 1995 s. 5.44 - CEO may delegate powers and duties to other employees
Express power or duty delegated	Local Government Act 1995 s. 3.50 - Closing certain thoroughfares to vehicles s. 3.50A - Partial closure of thoroughfares for repairs or maintenance s. 3.51 - Affected owners to be notified of certain proposals
Function	<p>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)].</p> <p>2. Authority to determine to close a thoroughfare for a period exceeding four weeks, and before doing so, to:</p> <ul style="list-style-type: none"> a) Give public notice, written notice to the Commissioner of Main Roads, and b) Written notice to prescribed persons and persons that own prescribed land; and c) Consider submissions relevant to the road closure(s) proposed [Act, s. 3.50(1), (2) and (4)]. <p>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].</p> <p>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].</p>
Delegates	Executive Director Technical Services Head of Program Delivery Head of Service Delivery
Conditions	Function 2. above shall only be exercised by the Executive Director Technical Services.
Express power to subdelegate	Nil.
Subdelegate conditions	N/A
Statutory framework	Local Government Act 1995 s. 3.50 - Closing certain thoroughfares to vehicles s. 3.50A - Partial closure of thoroughfares for repairs or maintenance s. 3.51 - Affected owners to be notified of certain proposals s. 5.44 - CEO may delegate powers and duties to other employees
Policy	Nil

Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	27 June 2019
Adoption references	Executed Delegation Review CD/47596/19

Amendments			
Date	Type	Amendment	References
22 Dec 2023	New delegation	Replaces TS 3.1 "Authority to close roads"	CEO approval CE/153473/23

Delegation	1.2.10 Reserves under control of the local government (sub-delegation)
Category	Technical Services Directorate
Head of power	Part 01 - Local Government Act 1995
Delegator	Chief Executive Officer
Express power to delegate	Local Government Act 1995 s. 5.44 - CEO may delegate powers and duties to other employees
Express power or duty delegated	Local Government Act 1995 s. 3.54(1) - Reserves under control of local government
Function	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)]
Delegates	Executive Director Technical Services Head of Environment and Sustainability Head of Service Delivery
Conditions	Nil.
Subdelegate conditions	N/A
Statutory framework	Local Government Act 1995 s. 3.54(1) - Reserves under control of local government s. 5.44 - CEO may delegate some powers and duties to other employees
Policy	Nil
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	27 June 2019
Adoption references	Executed Delegation Review CD/47596/19

Amendments			
Date	Type	Amendment	References
22 Dec 2023	New delegation	Replaces TS 2.1 "Reserves under control of Local Government"	CEO approval CE/153473/23

Delegation	1.2.11 Obstruction of footpaths and thoroughfares (sub-delegation)
Category	Technical Services Directorate
Head of power	Part 01 - Local Government Act 1995
Delegator	Chief Executive Officer
Express power to delegate	Local Government Act 1995 s. 5.44 - CEO may delegate powers and duties to other employees
Express power or duty delegated	Local Government (Uniform Local Provisions) Regulations 1996 r. 5(2) - Interfering with, or taking from, local government land r. 6 - Obstruction of public thoroughfare by things placed and left r. 7A - Obstruction of public thoroughfare by fallen things r. 7 - Encroaching on public thoroughfare
Function	<ol style="list-style-type: none"> 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"> a. Prevent damage to the footpath; or b. Prevent inconvenience to the public or danger from falling materials [r. 5(2)]. 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)]. 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)]. 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]. 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].
Delegates	Executive Director Technical Services Head of Service Delivery
Conditions	<ol style="list-style-type: none"> 1. Actions under this Delegation must comply with procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>. 2. In addition to those matters prescribed by 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"> a. Where appropriate, obtain written permission from each owner of adjoining or adjacent property which may be impacted by the proposed obstruction. 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. c. Provide evidence of sufficient Public Liability Insurance. d. Provide pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity. 3. Where a notice is to be issued, the City Governance business unit is to be consulted prior to issuing the notice.
Express power to subdelegate	Nil.

Subdelegate conditions	N/A
Statutory framework	<p><i>Local Government (Uniform Local Provisions) Regulations 1996</i> Penalties under the <i>Local Government (Uniform Local Provisions) Regulations 1996</i> are administered in accordance with Part 9, Division 2 of the Local Government Act 1995.</p> <p>Activities and Trading in Thoroughfares and Public Places Local Law</p>
Policy	Nil.
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	22 December 2023
Adoption references	CEO approval CE/153473/23

Delegation	1.2.12 Public thoroughfare - dangerous excavations (sub-delegation)
Category	Technical Services Directorate
Head of power	Part 01 - Local Government Act 1995
Delegator	Chief Executive Officer
Express power to delegate	Local Government Act 1995 s. 5.44 - CEO may delegate powers and duties to other employees.
Express power or duty delegated	Local Government (Uniform Local Provisions) Regulations 1996 Reg 11(1), (4), (6) and (8) - Dangerous excavation in or near public thoroughfare
Function	<ol style="list-style-type: none"> 1. Authority to determine if an excavation in or on land adjoining a public thoroughfare is dangerous and take action to fill it in or fence it or request the owner/occupier in writing to fill it in or securely fence the excavation [r. 11(1)]. 2. Authority to determine to give permission or refuse to give permission, to make or make and leave an excavation in a public thoroughfare or land adjoining a public thoroughfare [r. 11(4)]. 3. Authority to impose conditions on granting permission [r. 11(6)]. 4. Authority to renew a permission granted or vary at any time, any condition imposed on a permission granted [r. 11(8)].
Delegates	Executive Director Technical Services Head of Service Delivery
Conditions	<ol style="list-style-type: none"> 1. Actions under this Delegation must comply with procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>. 2. In addition to those matters prescribed by 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"> a. Where appropriate, obtain written permission from or enter into a legal agreement with, each owner of adjoining or adjacent property which may be impacted by the proposed works. b. Provide a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good the public assets at the completion of works. c. Provide evidence of sufficient Public Liability Insurance. d. Provide pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.
Express power to subdelegate	Nil
Subdelegate conditions	N/A
Statutory framework	<p><i>Local Government (Uniform Local Provisions) Regulations 1996</i> – prescribe applicable statutory procedures.</p> <p>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>
Policy	Nil
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.

Date adopted	22 December 2023
Adoption references	CEO approval CE/153473/23

Delegation	1.2.13 Requirement to construct, repair or remove crossing (sub-delegation)
Category	Technical Services Directorate
Head of power	Part 01 - Local Government Act 1995
Delegator	Chief Executive Officer
Express power to delegate	Local Government Act 1995 s. 5.44 - CEO may delegate powers and duties to other employees
Express power or duty delegated	Local Government (Uniform Local Provisions) Regulations 1996 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).
Function	<ol style="list-style-type: none"> 1. Authority to approve or refuse to approve, applications for the construction of a crossing giving access from a public thoroughfare to land or private thoroughfare serving land [r. 12(1)]. 2. Authority to give notice to an owner or occupier of land requiring the person to construct or repair a crossing [r. 13(1)]. 3. 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)].
Delegates	Executive Director Technical Services Head of Service Delivery
Conditions	<ol style="list-style-type: none"> 1. Actions under this delegation must comply with procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>. 2. Specification of a crossing is set out in 'Policy - Crossovers' and unless otherwise provided, crossings approved are to be of a specification set out in that policy. 3. Prior to exercising Function 2, the City Governance business unit is to be consulted. 4. Requirements of regulation 14 – the local government cannot – <p>(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.</p>
Express power to subdelegate	Nil
Subdelegate conditions	N/A
Statutory framework	<ol style="list-style-type: none"> 1. <i>Local Government (Uniform Local Provisions) Regulations 1996</i> – prescribe applicable statutory procedures. 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>.
Policy	Policy - Crossovers
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	22 December 2023

Adoption references	CEO approval CE/153473/23
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Delegation	1.2.14 Private works on, over or under public places
Category	Technical Services Directorate
Head of power	Part 01 - Local Government Act 1995
Delegator	Chief Executive Officer
Express power to delegate	Local Government Act 1995 s. 5.44 - CEO may delegate powers and duties to other employees
Express power or duty delegated	Local Government (Uniform Local Provisions) Regulations 1996 Regulation 17 - Private works on, over, or under public places – Sch. 9.1
Function	<ol style="list-style-type: none"> 1. Authority to grant permission or refuse permission to construct a specified thing on, over, or under a specified public thoroughfare or public place that is local government property [r. 17(3)] 2. Authority to impose conditions on permission [r. 17(5)], including those prescribed [r. 17(6)]
Delegates	Executive Director Technical Services
Conditions	<ol style="list-style-type: none"> 1. Actions under this Delegation must comply with procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i> 2. The function is unable to be exercised in respect of the construction of things by or on behalf of the Crown [r. 17(2)] 3. Approval is not to be granted unless the applicant has provided, in advance, sufficient information or undertaken sufficient measures to account for those matters prescribed by r. 17(6) and r. 17(8)
Express power to subdelegate	Nil.
Subdelegate conditions	N/A
Statutory framework	<p>Local Government (Uniform Provisions) Regulations 1996 – prescribe applicable statutory procedures.</p> <p>Penalties under the Local Government (Uniform Local Provisions) Regulations 1996 are administered in accordance with Part 9, Division 2 of the Local Government Act 1995.</p>
Policy	Nil.
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	8 July 2024
Adoption references	CEO approval CD/54528/24

Delegation	1.2.15 Notices requiring certain things to be done by owner or occupier of land (sub-delegation)
Category	Development Services Directorate
Head of power	Part 01 - Local Government Act 1995
Delegator	Chief Executive Officer
Express power to delegate	Local Government Act 1995 s. 5.44 - CEO may delegate powers and duties to other employees
Express power or duty delegated	Local Government Act 1995 s. 3.25 - Notices requiring certain things to be done by owner or occupier of land s. 3.26 - Additional powers when notices given
Function	<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(2)]</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>
Delegates	Building Services Manager Executive Director Development Services Executive Director Technical Services Head of Service Delivery Manager Health Services Manager Statutory Planning
Conditions	<ol style="list-style-type: none"> 1. If a notice is to be issued for the purposes of clauses 4(2) or 5(3) of Schedule 3.1, a notice cannot be given to an occupier who is not an owner. 2. In accordance with s. 3.25(3), if a notice is given to an occupier who is not the owner of the land, the owner is to be informed in writing that the notice was given. 3. Delegates shall only use the functions delegated that come within the responsibility of the delegate's business unit, Directorate (Executive Directors only) or is in the delegate's position description.
Express power to subdelegate	Nil.
Subdelegate conditions	N/A
Statutory framework	Local Government Act 1995 s. 3.25 - Notices requiring certain things to be done by owner or occupier of land s. 3.26 - Additional powers when notices given Sch. 3.1 Powers under notices to owners or occupiers of land

Policy	Nil.
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	22 December 2023
Adoption references	CEO approval CE/153473/23

Delegation	1.2.16 Expressions of interest for goods and services (sub-delegation)
Category	Chief Executive's Office
Head of power	Part 01 - Local Government Act 1995
Delegator	Chief Executive Officer
Express power to delegate	Local Government Act 1995 s. 5.44 - CEO may delegate powers and duties to other employees.
Express power or duty delegated	Local Government Act 1995 s. 3.57 - Tenders for providing goods or services Local Government (Functions and General) Regulations 1996 r. 21 - Limiting who can tender, procedure for r. 23 - Rejecting and accepting expressions of interest to be acceptable tenderer
Function	<ol style="list-style-type: none"> 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)] 2. Give Statewide public notice that expressions of interest are sought [Regulations, r. 21(3)] 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)] 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)] 5. Consider Expressions of Interest which have not been rejected and determine those which are capable of satisfactorily providing the goods or services, for listing as acceptable tenderers [Regulations, r. 23].
Delegates	Building Services Manager Executive Director Community Services Executive Director Corporate Services Executive Director Development Services Executive Director Technical Services Executive Manager Corporate Finance Head of Community Infrastructure Planning Head of Environment and Sustainability Head of Program Delivery Head of Service Delivery Head of Strategic Planning, Place & Development Manager Asset Lifecycle Manager Health Services Manager Information and Communication Technology Manager Ranger & Emergency Services Manager Recreation Services Manager Statutory Planning Manager Strategic Planning
Conditions	<ol style="list-style-type: none"> 1. Expressions of Interest can only be called for items in adopted budget. 2. Functions involving tenders for goods and services, or panels of pre-qualified suppliers for goods and services, are provided by dedicated delegations of authority; accordingly, this delegation is unable to be used for either of those purposes.

Express power to subdelegate	Nil.
Subdelegate conditions	N/A
Statutory framework	<i>Local Government (Functions and General) Regulations 1996</i>
Policy	Policy - Procurement of Goods and Services
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	22 December 2023
Adoption references	CEO approval CE/153473/23

Delegation	1.2.17 Tenders for goods and services (sub-delegation)
Category	Chief Executive's Office
Head of power	Part 01 - Local Government Act 1995
Delegator	Chief Executive Officer
Express power to delegate	<i>Local Government Act 1995</i> s. 5.44 - CEO may delegate powers and duties to other employees
Express power or duty delegated	<i>Local Government Act 1995</i> s. 3.57 - Tenders for providing goods or services. <i>Local Government (Functions and General) Regulations 1996</i> r. 11 - When tenders have to be publicly invited. r. 13 - Requirements when local government invites tenders though not required to do so. r. 14 - Publicly inviting tenders, requirements for. r. 18 - Rejecting and accepting tenders. r. 20 - Variation of requirements before entry into contract. r. 21A - Varying a contract for the supply of goods or services. r. 21 - Limiting who can tender, procedure for.

Function	<ol style="list-style-type: none"> 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)] 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)] 3. Publicly invite tenders although not required to do so [Regulations, r. 13] 4. Determine in writing, before tenders are publicly invited, the criteria for deciding which tender(s) should be accepted [Regulations, r. 14(2a)] 5. Decide the information that is to be disclosed to those interested in submitting a tender [Regulations, r. 14(4)(a)] 6. Vary tender information after public notice of invitation to tender, and before the close of tenders, taking reasonable steps to give each person who has sought copies of the tender information is provided notice of the variation [Regulations, r. 14(5)] 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)] 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)] 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)] 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)] 11. 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)] 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 been entered into and the City and the tenderer agree to terminate the contract [Regulations, r. 18(7)] 13. 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)] 14. 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)] 15. 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)] 16. 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)].
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Delegates	<p> Building Services Manager Executive Director Community Services Executive Director Corporate Services Executive Director Development Services Executive Director Technical Services Executive Manager Corporate Finance Head of Community Infrastructure Planning Head of Design Head of Environment and Sustainability Head of Program Delivery Head of Service Delivery Head of Strategic Planning, Place & Development Manager Asset Lifecycle Manager Community Development Manager Health Services Manager Information and Communication Technology Manager Ranger & Emergency Services Manager Recreation Services Manager Statutory Planning Manager Strategic Planning </p>
Conditions	<ol style="list-style-type: none"> 1. Only the CEO has Authority to accept, decline or reject tenders between the value of \$250,000 and \$1,000,000; or \$1,500,000 inclusive of extensions for a contract over multiple years providing it has been approved in the budget. Tenders greater than these limits require a resolution by Council. 2. Functions 2, 6, 11, 12, 13, 14, 15 and 16 shall only be exercised by Executive Directors and in respect of functions 13 and 15, the City Governance business unit is to be consulted prior to exercising the function. 3. Tender exempt (Sole supplier) arrangements may only be approved where a record is retained that evidences - <ol style="list-style-type: none"> a) a detailed specification; b) the outcomes of market testing of the specification; c) the reasons why market testing has not met the requirements of the specification or competitive analysis; d) rationale for why the supply is unique and cannot be sourced through other suppliers; and e) the expense is included in the adopted Annual Budget. 4. Tenders may only be called where there is an adopted budget for the proposed goods or services, with the exception being in the period immediately prior to the adoption of a new budget, and where the - <ol style="list-style-type: none"> a) proposed goods or services are required to fulfil a routine contract related to the day to day operations of the local government; b) current supply contract expiry is imminent; and c) value of the proposed new contract has been included in the draft budget proposed for adoption. 5. Where there is a business need for a tender to be called and the value is not accounted for in an adopted budget, the tender may only be called where a Council resolution has been made approving a budget variation or unbudgeted expenditure, for the specific tender or works in question. 6. A minor variation may only be entertained if - <ol style="list-style-type: none"> a) the proposed variation does not alter the nature of the goods and/or services procured; b) the proposed variation does not materially alter the specification or structure provided for by the initial tender; and c) the proposed variation is less than 10% of the original tendered price. <p>A tender cannot be varied outside the above definition.</p> 7. Where a delegate has authority to accept a tender, the quantum of the value of the tender is to include any contract extensions that may apply to the goods or services to be provided.

Express power to subdelegate	Nil.
Subdelegate conditions	N/A
Statutory framework	<i>Local Government (Functions and General) Regulations 1996</i>
Policy	Policy - Procurement of Goods and Services
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	22 December 2023
Adoption references	CEO approval CE/153473/23

Delegation	1.2.18 Panels of pre-qualified suppliers for goods and services (sub-delegation)
Category	Chief Executive's Office
Head of power	Part 01 - Local Government Act 1995
Delegator	Chief Executive Officer
Express power to delegate	Local Government Act 1995 s. 5.44 - CEO may delegate some powers and duties to other employees
Express power or duty delegated	Local Government (Functions and General) Regulations 1996 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
Function	<ol style="list-style-type: none"> 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)] 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)]. 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)]. 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)]. 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)]. 6. Authority to request clarification of information provided in a submission by an applicant [Regulations, r. 24AH(4)]. 7. Authority to decline to accept any application [Regulations, r. 24AH(5)]. 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)].
Delegates	<p>Executive Director Community Services Executive Director Corporate Services Executive Director Development Services Executive Director Technical Services Head of Community Infrastructure Planning Head of Design Head of Environment and Sustainability Head of Program Delivery Head of Service Delivery Head of Strategic Planning, Place & Development Manager Asset Lifecycle Manager Health Services Manager Information and Communication Technology Manager Ranger & Emergency Services Manager Recreation Services Manager Statutory Planning Manager Strategic Planning</p>

Conditions	<ol style="list-style-type: none"> 1. In accordance with Regulation 24AJ of the Local Government (Functions and General) Regulations 1996, a contract (within the panel contract) must not be formed with a prequalified supplier for goods/services for a period exceeding 12months, which includes options to extend the contract. 2. Function 8 is limited to Executive Directors only.
Express power to subdelegate	Nil.
Subdelegate conditions	N/A
Statutory framework	<i>Local Government (Functions and General) Regulations 1996</i>
Policy	Policy - Procurement of Goods and Services
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	22 December 2023
Adoption references	CEO approval CE/153473/23

Delegation	1.2.21 Payments from municipal and trust funds (sub-delegation)
Category	Corporate Services Directorate
Head of power	Part 01 - Local Government Act 1995
Delegator	Chief Executive Officer
Express power to delegate	Local Government Act 1995 s. 5.44 - CEO may delegate some powers and duties to other employees
Express power or duty delegated	Local Government Act 1995 s. 6.7 - Municipal fund (incurring expenditure or income to) s. 6.9(3) and (4) - Trust fund (management and payments from) Local Government (Financial Management) Regulations 1996 Reg 11 and 12(1)(a) - Payments from municipal fund or trust fund, restrictions on making
Function	Make payments from the municipal and trust funds [Regulations, r. 12(1)(a)]
Delegates	Executive Director Corporate Services Executive Manager Corporate Finance Financial Accountant Lead Financial Operations Lead Financial Performance Lead Management Accountant Manager Financial Services
Conditions	<ol style="list-style-type: none"> 1. Ensure efficient systems and procedures record the accounts and records of transactions in accordance the <i>Local Government (Financial Management) Regulations 1996</i> [Regulations, r. 5 and r. 11]. 2. Two authorisations (or signatories) are required in order to effect a payment and neither person is to be a person who requisitioned a good or service. 3. One authorisation for payment must be given by a person who is manager level or higher. 4. A list of accounts paid from the municipal fund and trust fund under this delegation are to be presented to Council each month.
Express power to subdelegate	Nil.
Subdelegate conditions	N/A
Statutory framework	Local Government Act 1995 Local Government (Financial Management) Regulators 1996 Regs 5, 11, 12 and 13 - Payments from Municipal Fund or Trust Fund by CEO, CEO's Duties as to, etc. Local Government (Audit) Regulations 1996 Department of Local Government, Sport and Cultural Industries: Operational Guideline No 11 – Use of Corporate Credit Cards Accounting Manual.
Policy	Nil.

Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	22 December 2023
Adoption references	CEO approval CE/153473/23

Amendments			
Date	Type	Amendment	References
7 Feb 2024	Amended delegation	Additional delegates added	CEO approval CE/15131/24
2 Sep 2025	Amended delegation	New delegates added	A/CEO approval CE/119586/25

Delegation	1.2.22 Defer, write off, grant a concession or authorise a waiver for monies owing (sub-delegation)
Category	Corporate Services Directorate
Head of power	Part 01 - Local Government Act 1995
Delegator	Chief Executive Officer
Express power to delegate	Local Government Act 1995 s. 5.44 - CEO may delegate some powers and duties to other employees.
Express power or duty delegated	Local Government Act 1995 6.12 - Power to defer, grant discounts, waive or write off debts
Function	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)]
Delegates	Executive Director Community Services Executive Director Corporate Services Executive Manager Corporate Finance Manager Libraries and Heritage Manager Recreation Services
Conditions	The conditions of use of this delegation is subject to the following limitations: <ol style="list-style-type: none"> 1. The local government cannot grant a waiver or concession for a rate or service charge [Act, s. 6.12(2)]. 2. Any grant of concession or waiver does not exceed \$2,000 per occurrence. 3. Any write off of debt, not being due to an administration error, that does not exceed \$2,000. 4. Executive Director Community Services, Manager Recreation Services and Manager Library and Heritage Services are limited to \$500 per occurrence.
Express power to subdelegate	Nil
Subdelegate conditions	N/A
Statutory framework	Local Government Act 1995 Local Government (Financial Management) Regulations 1996
Policy	FIN 8 - Rates Assistance and Financial Hardship
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	22 December 2023
Adoption references	CEO approval CE/153473/23

Delegation	1.2.23 Power to invest and manage investments (sub-delegation)
Category	Corporate Services Directorate
Head of power	Part 01 - Local Government Act 1995
Delegator	Chief Executive Officer
Express power to delegate	Local Government Act 1995 s. 5.44 - CEO may delegate powers and duties to other employees
Express power or duty delegated	Local Government Act 1995 s. 6.14 - Power to invest Local Government (Financial Management) Regulations 1996 Regulation 19 - Investments, control procedures for.
Function	<ol style="list-style-type: none"> 1. Invest money held in the municipal fund or reserve fund that is not, for the time being, required for any other purpose [s. 6.14(1)]. 2. Establish and document internal control procedures to be followed to ensure control over investments [Regulations, r. 19].
Delegates	Executive Director Corporate Services Executive Manager Corporate Finance Financial Accountant Lead Financial Operations Lead Financial Performance Lead Manager Financial Services
Conditions	<ol style="list-style-type: none"> 1. Two delegates are required as signatories to the investment or removal of funds from a designated investment fund or source, and of those delegates, one signatory must be either the Executive Director Corporate Services or Executive Manager Corporate Finance. 2. The delegation is to be exercised in accordance with - <ol style="list-style-type: none"> a) Regulation 19 of the <i>Local Government (Financial Management) Regulations 1996</i>. b) Section 20 of the Trustees Act 1962. c) Council's Investment Policy.
Express power to subdelegate	Nil.
Subdelegate conditions	N/A
Statutory framework	Local Government Act 1995 s. 5.44(1) - CEO may delegate powers and duties to other employees s. 6.14(2)(a) - Power to Invest. Local Government (Financial Management) Regulations 1996 Regulation 19C(1) - Investment of money, restrictions. Regulation 28 - Investment Information Required in Notes. Regulation 49 - Invested money, information about in annual financial report. Trustees Act 1962 Part 111: Investments.

Policy	Policy - Investments
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	20 May 2024
Adoption references	CEO approval see: CE/58975/24

Amendments			
Date	Type	Amendment	References
2 Sep 2025	Amended delegation	New delegates added	A/CEO approval CE/119586/25

Delegation	1.2.24 Rate record amendment (sub-delegation)
Category	Corporate Services Directorate
Head of power	Part 01 - Local Government Act 1995
Delegator	Chief Executive Officer
Express power to delegate	Local Government Act 1995 s. 5.44 - CEO may delegate powers and duties to other employees
Express power or duty delegated	Local Government Act 1995 s. 6.39(2)(b) - Rate record s. 6.40 Effect of amendment of rate record
Function	<ol style="list-style-type: none"> 1. 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)]. 2. Where an amendment to the rate record requested is an objection to an entry on the rate record, it must be dealt with in accordance with s. 6.76 of the Act and Delegation of Authority <i>1.1.27 Rate Record - Objections</i>.
Delegates	Executive Director Corporate Services Executive Manager Corporate Finance
Conditions	Delegates must comply with the requirements of s. 6.40 of the <i>Local Government Act 1995</i> .
Express power to subdelegate	Nil.
Subdelegate conditions	N/A
Statutory framework	Local Government Act 1995: s. 6.40 - Prescribes consequential actions that may be required following a decision to amend the rate record. NOTE: Decisions made using this Delegation may be reviewed by the State Administrative Tribunal (SAT).
Policy	Nil.
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	22 December 2023
Adoption references	CEO approval CE/153473/23

Delegation	1.2.25 Agreement for payment of rates and service charges (sub-delegation)
Category	Corporate Services Directorate
Head of power	Part 01 - Local Government Act 1995
Delegator	Chief Executive Officer
Express power to delegate	Local Government Act 1995 s. 5.44 - CEO may delegate some powers and duties to other employees.
Express power or duty delegated	Local Government Act 1995 s. 6.49 - Agreement as to payment of rates and service charges.
Function	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]
Delegates	Coordinator of Rating Services Executive Manager Corporate Finance Manager Financial Services Rates Officer Senior Rating Services Officer
Conditions	<ol style="list-style-type: none"> 1. Agreements must be in writing and must ensure acquittal of the rates or service charge debt before the next annual rates or service charges are levied. 2. In deciding to enter into an agreement, delegates must comply with the requirements and parameters of Policy - Rates Assistance and Financial Hardship and Policy - A Smarter Way to Pay. 3. 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>.
Express power to subdelegate	Nil.
Subdelegate conditions	N/A
Statutory framework	Local Government Act 1995 Rates and Charges (Rebates and Deferments) Act 1992
Policy	FIN 8 - Rates Assistance & Financial Hardship FIN 9 - A Smarter Way to Pay
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	22 December 2023
Adoption references	CEO approval CE/153473/23

Delegation	1.2.26 Determine due dates for rates or service charges (sub-delegation)
Category	Corporate Services Directorate
Head of power	Part 01 - Local Government Act 1995
Delegator	Chief Executive Officer
Express power to delegate	Local Government Act 1995 s. 5.44 - CEO may delegate some powers and duties to other employees
Express power or duty delegated	Local Government Act 1995 s. 6.50 - Rates or service charges due and payable
Function	Authority to determine the date on which rates or service charges become due and payable to the City [Act, s. 6.50(1)]
Delegates	Executive Director Corporate Services Executive Manager Corporate Finance
Conditions	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> .
Express power to subdelegate	Nil.
Subdelegate conditions	N/A
Statutory framework	Local Government Act 1995 s. 5.44 - CEO may delegate powers and duties to other employees s. 6.50 - Rates or service charges due and payable
Policy	Nil.
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	22 December 2023
Adoption references	CEO approval CE/153473/23

Delegation	1.2.32 Donations, community grants and requests for financial assistance (sub-delegation)
Category	Community Services Directorate
Head of power	Part 01 - Local Government Act 1995
Delegator	Chief Executive Officer
Express power to delegate	Local Government Act 1995 s. 5.44 - CEO may delegate some powers and duties to other employees
Express power or duty delegated	Local Government (Financial Management) Regulations 1996 r. 12(1)(a) Payments from municipal fund or trust fund, restrictions on making (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
Function	Make a donation, or award a grant, to an eligible organisation or individual as prescribed by relevant Council policy.
Delegates	Executive Director Community Services Manager Community Development Manager Recreation Services
Conditions	<ol style="list-style-type: none"> 1. A donation or grant shall only be made if the applicant meets the criteria prescribed by Council Policy - Financial Assistance. 2. Where the function to be undertaken involves a grant, it may only be exercised by Executive Director Community Services, and Manager Community Development.
Express power to subdelegate	Nil.
Subdelegate conditions	N/A
Statutory framework	Local Government Act 1995 Local Government (Financial Management) Regulations 1996
Policy	COMD1 - Financial Assistance
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	22 December 2023
Adoption references	CEO approval CE/153473/23

Delegation	1.2.35 Particular things local governments can do on land that is not local government property (sub-delegation)
Category	Technical Services Directorate
Head of power	Part 01 - Local Government Act 1995
Delegator	Chief Executive Officer
Express power to delegate	<i>Local Government Act 1995</i> s. 5.44 - CEO may delegate powers and duties to other employees
Express power or duty delegated	<i>Local Government Act 1995</i> s. 3.27 - Particular things local governments can do on land that is not local government property
Function	Do any of the things prescribed in Schedule 3.2 of the <i>Local Government Act 1995</i> even though the land on which it is done is not local government property and the local government does not have consent to do it [Act, s. 3.27(1)]
Delegates	Executive Director Technical Services Head of Service Delivery
Conditions	Where a power or function of clause 3, 4 or 5 of Schedule 3.2 is to be used, a notice must be issued to the land owner or occupier in accordance with the requirements of s. 3.36 of the Act.
Express power to subdelegate	Nil
Subdelegate conditions	N/A
Statutory framework	<i>Local Government Act 1995</i> s. 3.27 Schedule 3.2
Policy	Nil
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	22 December 2023
Adoption references	CEO approval CE/153473/23

Delegation	1.4.1 Withdrawal of infringement notices - City of Armadale Local Laws
Category	Office of the CEO
Head of power	Part 01 - Local Government Act 1995
Delegator	Chief Executive Officer
Express power to delegate	Local Government Act 1995 s. 5.44(1) - CEO may delegate powers and duties to other employees
Express power or duty delegated	Local Government Act 1995 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. s. 9.19 - Extension of time
Function	1. In respect of the following City of Armadale Local Laws – i. Activities and Trading in Thoroughfares and Public Places Local Law ii. Environment, Animals and Nuisance Local Law; iii. Extractive Industries Local Law iv. Fencing Local Law; v. Health Local Laws 2002; vi. Livestock in Public Places and Wandering at Large Local Law 2015; vii. Parking and Parking Facilities Local Law viii. Pest Plant Local Law 2013; ix. Local Government Property Local Law x. Local Laws Relating to the Removal of Refuse, Rubbish and Disused Materials; and xi. Street Numbering Local Law 2010. a) Accept a person's submission that a vehicle the subject of an infringement notice issued for an offence under a City of Armadale Local Law had been stolen or unlawfully taken, or was being unlawfully used, at the time the offence is alleged to have been committed [Act, s. 9.13(6) (b)]. b) In a particular case, extend the period of 28 days within which a modified penalty may be paid and the extension may be allowed whether or not the period of 28 days has elapsed, in relation to an infringement notice issued for an offence under City of Armadale Local Laws [Act, s. 9.19]. c) Within one year after the notice was given, whether or not the modified penalty has been paid, withdraw an infringement notice by sending to the alleged offender a notice in the prescribed form stating that the infringement notice has been withdrawn [Act, s. 9.20(1)].
Delegates	Executive Director Community Services Executive Director Development Services Executive Director Technical Services Head of Service Delivery Manager Health Services Manager Ranger & Emergency Services Manager Statutory Planning

Conditions	<p>1. Delegates shall only use the functions delegated for a local law function that is the responsibility of the delegate's business unit, Directorate (Executive Directors only) or is in the delegate's position description.</p> <p>2. A delegate cannot exercise the functions delegated if the delegate was the issuer of the infringement notice to which the delegated function relates.</p> <p>3. A delegate cannot exercise the functions delegated if the delegate was, in his or her capacity as an Authorised Person appointed pursuant to s. 9.10(2) of the Act, the issuer of the infringement notice.</p>
Express power to subdelegate	Nil.
Subdelegate conditions	N/A
Statutory framework	<p>Local Government Act 1995</p> <p>s. 3.18(1) - Performing executive functions</p> <p>s. 5.44 - CEO may delegate powers and duties to other employees</p> <p>s. 9.13 - Onus of proof in vehicle offences may be shifted</p> <p>s. 9.19 - Extension of time</p> <p>s. 9.20 - Withdrawal of notice</p> <p>City of Armadale Local Laws</p>
Policy	Nil.
Record keeping	Exercise of the function is to be recorded in the City's records management system and Attain.
Date adopted	22 December 2023
Adoption references	CEO approval CE/153473/23

Delegation	1.4.2 Electoral enrolment eligibility claims and electoral roll
Category	Corporate Services Directorate
Head of power	Part 01 - Local Government Act 1995
Delegator	Chief Executive Officer
Express power to delegate	Local Government Act 1995 s. 5.44 - CEO may delegate some powers and duties to other employees.
Express power or duty delegated	Local Government Act 1995 s. 4.32(4), (5A) and (5) - Eligibility to enrol under s.4.30, how to claim s. 4.34 - Accuracy of enrolment details to be maintained s. 4.35 - Decision that eligibility to enrol under s.4.30 has ended s. 4.37 - New roll for each election Local Government (Elections) Regulations 1997 Reg 11(1a) - Nomination of co-owners or co-occupiers – s.4.31 Reg 13(2) and (4) - Register – s.4.32(6)
Function	<ol style="list-style-type: none"> 1. Require the written notice for co-owners or co-occupiers to be incorporated into Form 2 [r. 11(1a)]. 2. Decide whether or not the claimant is eligible under s. 4.30(1)(a) and s.4.30(1) (b) and accept or reject the claim accordingly [Act, s. 4.32(4)]. 3. Decide to accept or reject a claim made before the close of enrolments, but less than 14 days before the close of nominations [Act, s. 4.32(5A)]. 4. Make any enquiries necessary in order to make a decision on an eligibility claim [Act, s. 4.32(5)]. 5. Approve the omission of an elector's address from the Owners and Occupiers Electoral Roll on the basis of a declaration from the elector that the publication of this information would place the elector's or their family's safety at risk [r. 13(2)]. 6. Amend the Owners and Occupiers Electoral Roll from time to time to make sure that the information recorded in it is accurate [r. 13(4)]. 7. Ensure that the information about electors that is recorded from enrolment eligibility claims is maintained in an up to date and accurate form [Act, s. 4.34]. 8. Decide that a person is no longer eligible under s. 4.30 to be enrolled on the Owners and Occupiers Electoral Roll and to give notice [s. 4.35(2)] and [s. 4.35 (6)] consider submissions, before making such determination [Act, s. 4.35(1)]
Delegates	Coordinator of Rating Services Senior Rating Services Officer
Conditions	1. Decisions on enrolment eligibility are to be recorded in the Enrolment Eligibility Register in accordance with s. 4.32(6) and s. 4.35(7).
Express power to subdelegate	Nil.
Subdelegate conditions	N/A

Statutory framework	<p><i>Local Government Act 1995</i></p> <p>s.5.44 - CEO may delegate some powers and duties to other employees s.4.32(4), (5A) and (5) - Eligibility to enrol under s.4.30, how to claim s.4.34 - Accuracy of enrolment details to be maintained s.4.35 - Decision that eligibility to enrol under s.4.30 has ended s.4.37 - New roll for each election</p> <p><i>Local Government (Elections) Regulations 1997</i></p> <p>Reg 11(1a) - Nomination of co-owners or co-occupiers – s.4.31 Reg 13(2) and (4) - Register – s.4.32(6)</p> <p>Department of Local Government, Sport and Cultural Industries: Returning Officer Manual.</p>
Record keeping	<p>Exercise of the authority is to be recorded in the City's records management system and Attain.</p>
Date adopted	<p>22 December 2023</p>
Adoption references	<p>CEO approval CE/153473/23</p>

Delegation	1.4.3 Destruction of electoral papers
Category	Corporate Services Directorate
Head of power	Part 01 - Local Government Act 1995
Delegator	Chief Executive Officer
Express power to delegate	Local Government Act 1995 s. 5.44 - CEO may delegate some powers and duties to other employees
Express power or duty delegated	Local Government (Elections) Regulations 1997 Reg 82(4) - Keeping election papers – s.4.84(a)
Function	<ol style="list-style-type: none"> 1. Keep parcels containing election papers in safe custody and retain them for a period of at least 4 years after the declaration of the result of the election [r. 82(3)] 2. Destroy, or arrange the destruction of, parcels that have been retained for the period prescribed [r. 82(4)]
Delegates	Coordinator Records Head of City Legal
Conditions	Destruction of parcels must be carried out in the manner prescribed by r. 82(4) in the presence of at least 2 employees.
Express power to subdelegate	Nil.
Subdelegate conditions	N/A
Statutory framework	Local Government Act 1995 s. 5.44 - CEO may delegate some powers and duties to other employees s. 4.84 - Retention and availability of electoral papers, regulations about Local Government (Elections) Regulations 1997 r. 82(4) - Keeping election papers – s.4.84(a) Department of Local Government, Sport and Cultural Industries: Return Officer Manual.
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	22 December 2023
Adoption references	CEO approval CE/153473/23

Delegation	1.4.5 Acknowledge Primary and Annual Returns of employees
Category	Office of the CEO
Head of power	Part 01 - Local Government Act 1995
Delegator	Chief Executive Officer
Express power to delegate	<i>Local Government Act 1995</i> s. 5.44 CEO may delegate powers and duties to other employees
Express power or duty delegated	<i>Local Government Act 1995</i> s. 5.77 Acknowledging receipt of returns
Function	On receipt of a Primary Return or an Annual Return from a designated employee, give the person written acknowledgment of having received the return [Act, s. 5.77]
Delegates	Head of City Legal
Conditions	A Primary or Annual Return of the Chief Executive Officer is to be lodged with, and acknowledged by the Mayor.
Express power to subdelegate	Nil.
Subdelegate conditions	N/A
Statutory framework	<u>Local Government Act 1995</u> s. 5.44 - CEO may delegate powers and duties to other employees s. 5.77 - Acknowledging receipt of returns
Policy	Nil
Record keeping	Copies of the return and receipt issued are to be saved in the relevant folder in the City's records management system.
Date adopted	22 December 2023
Adoption references	CEO approval CE/153473/21

Delegation	1.4.6 Withdrawal of infringement notices - Local Government Act 1995 and Regulations
Category	Office of the CEO
Head of power	Part 01 - Local Government Act 1995
Delegator	Chief Executive Officer
Express power to delegate	Local Government Act 1995 s. 5.44 CEO may delegate powers and duties to other employees
Express power or duty delegated	Local Government Act 1995 s. 9.19 Extension of time s. 9.20 Withdrawal of notice
Function	For infringement notices issued for an offence of the - <i>Local Government Act 1995;</i> <i>Local Government (Parking for People with Disabilities) Regulations 2014;</i> <i>Local Government (Uniform Local Provisions) Regulations 1996</i> 1. Extend the period of 28 days within which a modified penalty may be paid and the extension may be allowed whether or not the period of 28 days has elapsed [Act, s. 9.19] 2. Within one year after the notice was given the delegate may, whether or not the modified penalty has been paid, withdraw an infringement notice by sending to the alleged offender a notice in the prescribed form stating that the infringement notice has been withdrawn [Act, s. 9.20(1)]
Delegates	Executive Director Community Services Executive Director Development Services Executive Director Technical Services Manager Ranger & Emergency Services
Conditions	Delegates exercising the authority shall not do so if the delegate was the issuer of the infringement notice.
Subdelegate conditions	N/A
Statutory framework	Local Government Act 1995 s. 5.44 CEO may delegate powers and duties to other employees s. 9.19 Extension of time s. 9.20 Withdrawal of notice Local Government (Parking for People with Disabilities) Regulations 2014 Local Government (Uniform Local Provisions) Regulations 1996
Policy	Nil.
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.

Date adopted	8 July 2024
Adoption references	CEO approval CD/54528/24

Delegation	CEO15 Discontinuation of Prosecutions
Head of power	Part 01 - Local Government Act 1995
Delegator	Chief Executive Officer
Express power or duty delegated	Authority to discontinue prosecutions under the Criminal Procedure Act 2004 relevant to the applicable directorate's responsibilities.
Delegates	Executive Director Community Services Executive Director Corporate Services Executive Director Development Services
Conditions	Nil
Statutory framework	Nil
Policy	Nil
Date adopted	27 June 2019
Adoption references	Executed Delegation Review CD/47596/19
Last reviewed	27 June 2019

Delegation	CEO NEW TBC Staff Resignation Gifts
Head of power	Part 01 - Local Government Act 1995
Delegator	Chief Executive Officer
Express power to delegate	<i>Local Government Act 1995</i> s5.44 CEO may delegation some power and duties to other employees.
Express power or duty delegated	<i>Local Government Act 1995</i> s5.50 Payments to Employees in addition to contract or award <i>Local Government (Administration) Regulations 1996</i> r.19A Payments in addition to contract or award, limits of (Act s5.50(3)).
Function	Approve the presentation of a Council gift to a value of \$15 for each year of service to a maximum of \$300, for staff terminating their employment with the City after at least 7 years' service, in accordance with Council Policy.
Delegates	Human Resources Manager
Express power to subdelegate	Nil
Statutory framework	<i>Local Government Act 1995</i> <i>Local Government (Administration) Regulations 1996</i>
Policy	ADM 1 - Staff Resignation Gifts
Record keeping	The exercise of this delegation is to be recorded in Attain
Date adopted	29 June 2021
Adoption references	CEO Endorsement - CE/90585/21

Delegation	CORPS 3.2 Payments from Municipal and Trust Funds - Community Safety Works Account
Category	Technical Services Directorate
Head of power	Part 01 - Local Government Act 1995
Delegator	Chief Executive Officer
Express power or duty delegated	Approval of expenditure from the Community Safety Works Account subject to the works complying with the conditional criteria.
Delegates	Executive Director Technical Services
Conditions	<ul style="list-style-type: none"> • Be initiated as a result of identification of an issue which is assessed by the Executive Director Technical Services to be of a technical nature; • Be of sufficient urgency in the opinion of the Executive Director Technical Services to warrant immediate attention, rather than referral to annual budget consideration; • The cost be within the delegate's signing authority; • That Council be informed of the work via a report in the 'Information Bulletin'
Statutory framework	Reg 12(1)(a) <i>Local Government (Financial Management) Regulations 1996</i>
Policy	Nil
Date adopted	27 June 2019
Adoption references	Executed Delegation Review CD/47596/19
Last reviewed	27 June 2019

Delegation	DS 2.1 Acquisition of Land
Category	Development Services Directorate
Head of power	Part 01 - Local Government Act 1995
Delegator	Chief Executive Officer
Express power or duty delegated	<p>Delegated authority to acquire land identified in a Development Contribution Plan in Town Planning Scheme No4 or under interim contribution arrangements pertaining to a Development Contribution Plan that is to be included in the 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>
Delegates	<p>Executive Director Development Services</p> <p>Head of Strategic Planning, Place & Development</p> <p>Manager Strategic Planning</p> <p>Project Manager - Contribution Arrangements</p>
Conditions	Nil
Statutory framework	Section 5.43 Local Government Act 1995
Policy	Nil
Date adopted	27 June 2019
Adoption references	Executed Delegation Review CD/47596/19
Last reviewed	27 June 2019

Delegation	NEW TBC Infringement Notices - Building Regulations 2012
Head of power	Part 01 - Local Government Act 1995
Delegator	Chief Executive Officer
Express power to delegate	<i>Local Government Act 1995</i> s5.44 CEO May delegate some power and duties to other employees
Express power or duty delegated	<i>Building Regulations 2012</i> r70(1A), (1), (2) Approved officer and authorised officers
Function	<p>Authorised to:</p> <ol style="list-style-type: none"> 1. extend the time in which payment for an infringement issued under the <i>Building Regulations 2012</i> can be received in accordance with section 9.19 of the <i>Local Government Act 1995</i>. 2. withdraw an infringement issued under the <i>Building Regulations 2012</i> in accordance with 9.20 of <i>Local the Government Act 1995</i> <p>Delegation as an "Approved Officer" for the purposes of the Criminal Procedure Act 2004 section 6(a) under the <i>Building Regulations 2012</i></p>
Delegates	Executive Director Development Services Head of Strategic Planning, Place & Development
Conditions	The power to extend or withdraw cannot be delegated to someone who has the power to issue infringements.
Express power to subdelegate	Nil
Statutory framework	<i>Local Government Act 1995</i> <i>Building Regulations 2012</i> <i>Criminal Procedure Act 2004</i>
Policy	Nil
Record keeping	The exercise of this delegation is to be recorded in Attain.
Date adopted	27 October 2020
Adoption references	CEO executed document - CD/130871/20

Delegation	NEW TBC Appointment of employees
Head of power	Part 01 - Local Government Act 1995
Delegator	Chief Executive Officer
Express power to delegate	<i>Local Government Act 1995</i> s5.44 CEO may delegate some powers and duties to other employees.
Express power or duty delegated	<i>Local Government Act 1995</i> s.5.41 - Functions of CEO 5.41(g) - be responsible for the employment, management supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees);
Function	Appointment of employees (new positions, replacement staff, temporary agency staff and / or additional temporary agency staff)
Delegates	Human Resources Manager
Conditions	<ol style="list-style-type: none"> 1. The CEO is to approve the requisition of any new position, replacement position or use of temporary personnel prior to the appointment process commencing. 2. The letter of appointment must be prepared by the City's Human Resources Department, reviewed for compliance with legislation, policy and/or industrial instrument and be in accordance with the requisition approved by the CEO.
Express power to subdelegate	Nil
Statutory framework	<i>Local Government Act 1995</i> City of Armadale Enterprise Agreement 2016
Policy	Nil
Record keeping	The exercise of this delegation is to be recorded in Attain.
Date adopted	29 June 2021
Adoption references	CEO Endorsement - CE/90585/21

Delegation	NEW TBC Employee long service leave options
Head of power	Part 01 - Local Government Act 1995
Delegator	Chief Executive Officer
Express power to delegate	<i>Local Government Act 1995</i> s5.44 CEO may delegate some powers and duties to other employees.
Express power or duty delegated	<i>Local Government Act 1995</i> s.5.41 - Functions of CEO 5.41(g) - be responsible for the employment, management supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees) <i>Local Government (Long Service Leave) Regulations</i> 6A Leave on half pay 6B Leave on double pay 7 Taking Leave 8 Payment for or in lieu of leave City of Armadale Enterprise Agreement 2016 (AG2016/5730) s18 Long Service Leave
Function	To approve: <ul style="list-style-type: none"> 1. the payment of long service leave on half pay or double pay; 2. to reduce the requirement to provide at least 2 months' notice for the taking of long service leave; 3. to approve the taking of long service leave over not more than 3 separate periods. 4. postponement for longer than 6 months.
Delegates	Human Resources Manager
Conditions	<ul style="list-style-type: none"> 1. Requests must be endorsed by the relevant Executive Director and the Human Resources Manager then are to be reviewed by Human Resources for compliance with legislation, policy and/or industrial instrument. 2. Any decision not to approve the application is to be referred to the CEO for final approval. 3. No power to vary the rate of payment applied to long services leave where the commencement of long service leave has been postponed by the worker beyond 6 months
Express power to subdelegate	Nil
Statutory framework	Fair Work Act 2009 City of Armadale Enterprise Agreement 2016 Local Government Act 1995 Local Government (Long Service Leave) Regulations
Policy	Nil
Record keeping	The exercise of this delegation is to be recorded in Attain
Date adopted	29 June 2021

Adoption references	CEO Endorsement - CE/90585/21
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Delegation	NEW TBC Deferred Salary Scheme
Head of power	Part 01 - Local Government Act 1995
Delegator	Chief Executive Officer
Express power to delegate	<i>Local Government Act 1995</i> s5.44 CEO may delegate some powers and duties to other employees.
Express power or duty delegated	<i>Local Government Act 1995</i> s.5.41 - Functions of CEO 5.41(g) - be responsible for the employment, management supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees) City of Armadale Enterprise Agreement 2016 (AG2016/5730) s17.12 Purchased Leave - deferred salary arrangement
Function	Approve applications for deferred salary arrangements in accordance with the clause 17.12 of the City of Armadale Enterprise Bargaining Agreement 2016.
Delegates	Human Resources Manager
Conditions	<ol style="list-style-type: none"> 1. Applications must endorsed by the Relevant Executive Director and the Human Resources Manager. 2. Any approval must be consistent with clause 17.12 of the City of Armadale Enterprise Agreement 2016 3. Any decision not to approve the application is to be referred to the CEO for final approval.
Express power to subdelegate	Nil
Statutory framework	Fair Work Act 2009 City of Armadale Enterprise Agreement 2016 Local Government Act 1995
Policy	Nil
Record keeping	The exercise of this delegation is to be recorded in Attain.
Date adopted	29 June 2021
Adoption references	CEO Endorsement - CE/90585/21

Delegation	NEW TBC Purchasing of additional leave
Head of power	Part 01 - Local Government Act 1995
Delegator	Chief Executive Officer
Express power to delegate	<i>Local Government Act 1995</i> s5.44 CEO may delegate some powers and duties to other employees.
Express power or duty delegated	<i>Local Government Act 1995</i> s.5.41 Functions of CEO 5.41(g) - be responsible for the employment, management supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees) City of Armadale Enterprise Agreement 2016 (AG2016/5730) s17.11 - Purchased Annual Leave - 48/52 salary arrangement
Function	Approval of applications to purchase annual leave in accordance with clause 17.11 of the City of Armadale Enterprise Agreement 2016.
Delegates	Human Resources Manager
Conditions	<ol style="list-style-type: none"> 1. Applications must be endorsed by the relevant Executive Director. 2. Any approval is to be consistent with clause 17.11 of the City of Armadale Enterprise Agreement. 3. Any decision not to approve the application is to be referred to the CEO for final approval.
Express power to subdelegate	Nil
Statutory framework	Fair Work Act 2009 City of Armadale Bargaining Agreement 2016 Local Government Act 1995
Record keeping	The exercise of this delegation is to be recorded in Attain.
Date adopted	29 June 2021
Adoption references	CEO Endorsement - CE/90585/21

Delegation	NEW TBC Applications to cash out annual leave
Head of power	Part 01 - Local Government Act 1995
Delegator	Chief Executive Officer
Express power to delegate	<i>Local Government Act 1995</i> s5.44 CEO may delegate some powers and duties to other employees.
Express power or duty delegated	Local Government Act 1995 s.5.41 - Functions of CEO 5.41(g) - be responsible for the employment, management supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees) City of Armadale Enterprise Agreement 2016 s17.10 Cashing out Annual Leave
Function	Power to approve applications for cashing out annual leave in accordance with clause 17.10 of the Enterprise Agreement 2016.
Delegates	Human Resources Manager
Conditions	<ul style="list-style-type: none"> • Applications must be endorsed by the relevant Executive Director and the Human Resources Manager • Any approval is to be consistent with clause 17.10 of the City of Armadale Enterprise Agreement 2016.
Statutory framework	Fair Work Act 2009 City of Armadale Enterprise Agreement 2016 Local Government Act 1995
Record keeping	The exercise of this delegation is to be recorded in Attain.
Date adopted	29 June 2021
Adoption references	CEO Endorsement - CE/90585/21

Part 2 - Local Laws

Local Laws

Delegation	2.2.1 Local Law Relating to Dogs - licencing and administration (sub-delegation)
Category	Community Services Directorate
Head of power	Part 02 - Local Laws
Delegator	Chief Executive Officer
Express power to delegate	<i>Dog Act 1976</i> s. 10AA(3) - The delegation may expressly authorise the delegate to further delegate the power or duty
Express power or duty delegated	<i>Local Government Act 1995</i> 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. Local Law Relating to Dogs 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 - 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
Function	1. Approve an application for an exemption to keep or permit to be kept on premises more than two (2) dogs but not greater than six (6) dogs [cl. 3.2(4)] 2. Determine an application for a kennel licence in accordance with the requirements of clause 4.5 and 4.6 [cl. 4.5, 4.6] 3. 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)] 4. Impose conditions on an approval for a kennel licence [cl. 4.8(1)] 5. Determine the form of a kennel licence to be issued to a licensee [cl. 4.11] 6. Vary the conditions of a kennel licence [cl. 4.13(1)] 7. Approve the transfer of a kennel licence to another person with or without conditions as considered appropriate [cl. 4.14(2), (3)] 8. Give written notice for any of the matters prescribed by clause 4.15 of the Local Law [cl. 4.15] 9. 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]
Delegates	Executive Director Community Services Manager Ranger & Emergency Services
Conditions	Executive Director Development Services is to be consulted prior to the exercise of Functions 2, 4, 6 and 7.

Express power to subdelegate	Nil.
Subdelegate conditions	N/A
Statutory framework	<i>Dog Act 1976</i> Local Law Relating to Dogs
Policy	Nil.
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	22 December 2023
Adoption references	CEO approval CE/153473/23

Delegation	2.2.2 Activities and Trading in Thoroughfares and Public Places Local Law - general functions (sub-delegation)
Category	Community Services Directorate
Head of power	Part 02 - Local Laws
Delegator	Chief Executive Officer
Express power to delegate	Local Government Act 1995 s. 5.44 - CEO may delegate powers and duties to other employees
Express power or duty delegated	Local Government Act 1995 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. Activities and Trading in Thoroughfares and Public Places Local Law Powers and functions of the local government prescribed in the local law.
Function	<ol style="list-style-type: none"> 1. Approve more than two crossovers to be created or constructed to any one lot [cl. 2.7] 2. Give written notice to an owner or occupier of a lot to remove all or part of a crossover and reinstate, to the satisfaction of the local government, the kerb, drain, path, verge and any other part of the thoroughfare which may be affected by the removal [cl. 2.11 (2)] 3. Give a notice in writing to the owner or occupier of a lot abutting a verge in respect of a breach of Division 2 of the Local Law, within the time specified in the notice [cl. 2.16] 4. Assign a number to a lot in the district and assign another number to the lot instead of that previously assigned [cl. 2.20] 5. Erect a sign on a public place specifying any conditions of use which apply to that place [cl. 2.22(1)] 6. Grant a permit to a person to drive or take a vehicle on a closed thoroughfare [cl. 2.24 (1)(b)] 7. Form an opinion that a sign is likely to obstruct lines of sight along a thoroughfare or cause danger to any person using the thoroughfare [cl. 3.2(2)(d)] 8. Determine an application for a permit made for the purposes of clause 3.2(1) of the Local Law [cl. 3.3] 9. Give notice verbally or in writing to a retailer whose name is on a shopping trolley found in a public place to remove the trolley, and impound the shopping trolley if it is not removed in accordance with that notice [cl. 4.6] 10. Signpost a flora road with the standard MRWA 'flora road' sign [cl. 5.5] 11. Issue a notice for any of the matters prescribed by Part 9 of the Local Law [cl. 9.1, 9.2, 9.3, 9.4] 12. Undertake the requirements of a notice issued pursuant to the Local Law, and recover from that person, as a debt, the costs incurred in so doing [cl. 10.2]
Delegates	Executive Director Community Services Executive Director Development Services Executive Director Technical Services Head of Service Delivery Manager Health Services Manager Ranger & Emergency Services Manager Statutory Planning Ranger Senior Ranger

Conditions	<ol style="list-style-type: none"> 1. Functions 1, 2, 3, 5, 6, 7 and 8 shall only be exercised by delegates in Technical Services Directorate. 2. Function 4 shall only be exercised by Executive Director Development Services or Manager Statutory Planning. 3. Function 9 shall only be exercised by Manager Ranger and Emergency Services, Senior Ranger, or Ranger.
Express power to subdelegate	Nil.
Subdelegate conditions	N/A
Statutory framework	<p><i>Local Government Act 1995</i></p> <p>Activities and Trading in Thoroughfares and Public Places Local Law</p>
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	22 December 2023
Adoption references	CEO approval CE/153473/23

Delegation	2.2.3 Activities and Trading in Thoroughfares and Public Places Local Law - permit functions (sub-delegation)
Category	Community Services Directorate
Head of power	Part 02 - Local Laws
Delegator	Chief Executive Officer
Express power to delegate	Local Government Act 1995 s. 5.44 - CEO may delegate powers and duties to other employees
Express power or duty delegated	Local Government Act 1995 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. Activities and Trading in Thoroughfares and Public Places Local Law Permit functions of the local government prescribed in the local law.
Function	<ol style="list-style-type: none"> 1. Approve an application for a permit, with or without conditions, for an activity where the Local Law requires a permit to be obtained [cl. 7.2(1)(a)] 2. Refuse to approve an application for a permit and give written notice of that refusal to the applicant [cl. 7.2(1)(b), 7.2(3)] 3. Impose conditions on a permit for the matters prescribed in clause 7.3 of the Local Law and/or impose conditions under a policy of the local government [cl. 7.4] 4. Vary the conditions of a permit that has been issued [cl. 7.5(2)] 5. Transfer a permit with or without conditions, or refuse to transfer a permit [cl. 7.8(2)] 6. Cancel a permit [cl. 7.10]
Delegates	Community Development Support Officer Customer Service Officer Executive Director Community Services Executive Director Development Services Executive Director Technical Services Head of Service Delivery Manager Health Services Senior Customer Service Officer
Conditions	<ol style="list-style-type: none"> 1. Functions 1 through 6 insofar as those functions relate to a permit for an outdoor eating facility, shall only be exercised by Executive Director Development Services or Manager Health Services. 2. Functions 1 through 6 insofar as those functions relate to a permit for a stallholder pursuant to clause 6.2 of the Local Law, shall only be exercised by Community Development Support Officer, Recreation Services Support Officer or Manager Health Services. 3. Functions 1 through 6 insofar as those functions relate to a permit for a trader pursuant to clause 6.3 of the Local Law, shall only be exercised by Executive Director Development Services, or Manager Health Services. 4. Functions 1 through 6 insofar as those functions relate to a permit for a street entertainer pursuant to Part 6 Division 2 of the Local Law, shall only be exercised by Community Development Support Officer, Coordinator Customer Services, Customer Service Officer, Recreation Services Support Officer or Senior Customer Service Officer.

Express power to subdelegate	Nil
Subdelegate conditions	N/A
Statutory framework	<p><i>Local Government Act 1995</i> s. 3.18 Performing executive functions s. 5.44 - CEO may delegate powers and duties to other employees</p> <p>Activities and Trading in Thoroughfares and Public Places Local Law</p>
Policy	Nil
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	22 December 2023
Adoption references	CEO approval CE/153473/23

Delegation	2.2.4 Local Government Property Local Law - administration (sub-delegation)
Category	Community Services Directorate
Head of power	Part 02 - Local Laws
Delegator	Chief Executive Officer
Express power to delegate	Local Government Act 1995 s. 5.44 -CEO may delegate powers and duties to other employees
Express power or duty delegated	Local Government Act 1995 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. Local Government Property Local Law cl. 2.3 Discretion to erect sign cl. 3.7 Agreement for building cl. 4.7 Removing or damaging flora cl. 4.8 Signs cl. 6.1(2) 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
Function	<ol style="list-style-type: none"> 1. Erect a sign on local government property to give notice of the effect of a determination which applies to that property [cl. 2.3] 2. Where a person applies for a permit to erect a building on local government property the local government may enter into an agreement with the permit holder in respect of the ownership of the materials in the building [cl. 3.7] 3. Give written consent to a person to remove flora on or above local government property [cl. 4.7(1)] 4. Erect a sign on local government property specifying any conditions of use which apply to that property (subject to sub-clause (3) [cl. 4.8(1)] 5. Exempt a person from paying an admission fee to a function on local government property on such days or during such times as the property may be set aside for a function for which a charge for admission is authorised [cl. 6.1(2)] 6. Dispose of an article of lost property left on any local government property if not claimed after 1 month [cl. 8.4(1)] 7. Dispose of an item of property left on any local government property that is of minor clothing, undergarments, consumable personal effects or other item of nominal financial value [cl. 8.4(2)] 8. Issue a notice to a person who has unlawfully damaged local government property, that the person is required to pay the costs of reinstating the property to the state it was in prior to the occurrence of the damage; or replace that property. [cl. 8.5(1)] 9. Undertake the requirements of a notice issued by the local government and recover the costs of doing so from the person to whom the notice was issued, as a debt [cl. 9.2]

Delegates	Executive Director Community Services Executive Director Technical Services Head of Service Delivery Manager Community Development Manager Recreation Services
Conditions	1. Functions 1, 2 and 3 shall only be exercised by Technical Services Directorate delegates. 2. Function 5 shall only be exercised by Community Services Directorate delegates.
Express power to subdelegate	Nil.
Subdelegate conditions	N/A
Statutory framework	Local Government Act 1995 s. 3.18(1) Performing executive functions s. 5.42(1) Delegation of some powers and duties to CEO s. 5.44(1) CEO may delegate powers and duties to other employees Local Government Property Local Law
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	22 December 2023
Adoption references	CEO approval CE/153473/23

Delegation	2.2.5 Local Government Property Local Law - Approve, issue and determine conditions of permits (sub-delegation)
Category	Community Services Directorate
Head of power	Part 02 - Local Laws
Delegator	Chief Executive Officer
Express power to delegate	Local Government Act 1995 s. 5.44 - CEO may delegate powers and duties to other employees
Express power or duty delegated	<p>Local Government Act 1995 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.</p> <p>Local Government Property Local Law cl. 3.2 Application for permit cl. 3.3 Decision on application for permit cl. 3.4 Conditions which may be imposed on a permit cl. 3.5 Imposing conditions under a policy cl. 3.6 Compliance with and variation of conditions cl. 3.9 Renewal of permit cl. 3.10 Transfer of permit cl. 3.11 Production of permit cl. 3.12 Cancellation of permit cl. 3.13 Activities needing a permit</p>
Function	<ol style="list-style-type: none"> 1. Determine the form of an application for a permit under the local law [cl. 3.2(2)(a)]. 2. Require an applicant to provide additional information reasonably related to an application for determining an application [cl. 3.2(3)]. 3. Require an applicant to give local public notice of an application for a permit [cl. 3.2(4)]. 4. 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)]. 5. Approve, or refuse, an application for a permit unconditionally or subject to conditions [cl. 3.3(1)(a) and (b)]. 6. Determine a form of permit and issue a permit to an applicant [cl. 3.3(2)]. 7. Give written notice of a refusal to approve an application for a permit, to an applicant [cl. 3.3(3)]. 8. Impose conditions that are not prescribed by a clause of the local law on a permit [cl. 3.3(4)]. 9. Refuse an application for a permit on grounds that are not prescribed by a clause of the local law [cl. 3.3(5)]. 10. Impose conditions on a permit as specified in the Local Law [cl. 3.4]. 11. Impose conditions on a permit by reference to a policy [cl. 3.5(2)]. 12. Vary the conditions of a permit [cl. 3.6(1)]. 13. Renew a permit, prior to the expiry of the permit [cl. 3.9(1)]. 14. Approve the transfer of a permit to another person subject to any conditions [cl. 3.10 (2)]. 15. Refuse the transfer of a permit to another person [cl. 3.10(1)(c), 3.10(2)]. 16. Cancel a permit if the permit holder has not complied with the local law or a condition of the permit [cl. 3.12(1)]. 17. Exempt a person from compliance with clause 3.13(1) upon application by that person [cl. 3.13(2)].

Delegates	Executive Director Community Services Executive Director Technical Services Head of Service Delivery Manager Community Development Manager Recreation Services
Conditions	<ol style="list-style-type: none"> 1. Issuance of permits is limited to those matters prescribed by clause 3.13 of the local law. 2. Delegates shall only exercise the delegated authority for functions that are relevant to their Business Unit, Directorate, or position description.
Express power to subdelegate	Nil.
Subdelegate conditions	N/A
Statutory framework	Local Government Act 1995 City of Armadale Local Government Property Local Law
Policy	Policy - Lease and Licence
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	22 December 2023
Adoption references	CEO approval CE/153473/23

Delegation	2.2.6 Environment, Animals and Nuisance Local Law (sub-delegation)
Category	Development Services Directorate
Head of power	Part 02 - Local Laws
Delegator	Chief Executive Officer
Express power to delegate	Local Government Act 1995 s. 5.44 - CEO may delegate some powers and duties to other employees
Express power or duty delegated	Local Government Act 1995 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. Environment, Animals and Nuisance Local Laws 2002
Function	All functions and powers of Council where the local law expressly provides a power or function to - 1) issue a permit or licence, including the determination of conditions applicable thereto (inclusive of clause 41); 2) vary or cancel a permit or licence issued pursuant to the local law; 3) issue a notice to a person or landholder in respect of a breach of the local law.
Delegates	Coordinator Health Services Executive Director Development Services Manager Health Services
Conditions	The functions and powers delegated do not apply to those functions and powers of the local law that are exercisable by an authorised person.
Express power to subdelegate	Nil.
Subdelegate conditions	N/A
Statutory framework	Local Government Act 1995 s. 5.44 - CEO may delegate some powers and duties to other employees s. 9.10(2) Appointment of authorised persons City of Armadale Environment, Animals and Nuisance Local Laws 2002.
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	22 December 2023
Adoption references	CEO approval CE/153473/23

Delegation	2.2.7 Fencing Local Law - powers and functions (sub-delegation)
Category	Development Services Directorate
Head of power	Part 02 - Local Laws
Delegator	Chief Executive Officer
Express power to delegate	Local Government Act 1995 s. 5.44 - CEO may delegate some powers and duties to other employees
Express power or duty delegated	Local Government Act 1995 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. Local Laws Relating to Fencing cl. 6.1 Application for approval cl. 6.2 Determination of applications cl. 6.3 Decision on Application for Approval cl. 7.1 Notice of Breach
Function	<ol style="list-style-type: none"> 1. Approve a fence of a kind that is not a sufficient fence for the purposes of Schedule 1 of the Local Law [cl. 2.1(1)] 2. Approve a form of application for approval for any discretionary matter contained within the Local Law and determine the documents or information required [cl. 6.1(2)] 3. Refuse to consider an application for approval which is not in accordance with clause 6.1(2) of the Local Law [cl. 6.1(3)] 4. Consider additional factors when determining whether to grant consent to the erection or repair of any fence that the local government is authorised to consider, in addition to those matters prescribed by clause 6.2(1)(a), (b) or (c) of the Local Law [cl. 6.2(1)] 5. Approve an application for approval unconditionally or subject to any conditions in the form determined [cl. 6.3(1)(a) and 6.3(2)] 6. Refuse to approve an application for approval and give written notice to the applicant [cl. 6.3(1)(b) and 6.3(3)] 7. Impose other conditions of approval not prescribed by the Local Law [cl. 6.3(4)] 8. Give a notice in writing to the owner of a lot where a breach of any provision of the Local Law has occurred in relation to that lot [cl. 7.1(1)] 9. By its employees, agents or contractors, enter upon the lot to which a notice relates and remedy the breach, and recover the expenses of so doing from the owner or occupier of the lot [cl. 7.1(3)]
Delegates	Building Services Manager Coordinator Building Services (Commercial) Coordinator Building Services (Residential) Coordinator Growth and Urban Regeneration Coordinator Statutory Planning Executive Director Development Services Manager Statutory Planning

Conditions	<ol style="list-style-type: none"> 1. Function 1 shall only be exercised by Executive Director Development Services. 2. Functions 7) and 8) shall only be approved or exercised by Executive Director Development Services, Manager Building Services or Manager Statutory Planning. 3. The delegation is unable to be used for functions or powers that are granted to a person authorised by the CEO pursuant to s. 9.10(2) of the <i>Local Government Act 1995</i>
Express power to subdelegate	Nil.
Subdelegate conditions	N/A
Statutory framework	<p><i>Local Government Act 1995</i></p> <p>s. 3.18(1) Performing executive functions</p> <p>s. 5.42 Delegation of some powers and duties to CEO</p> <p>s. 5.44 CEO may delegate powers and duties to other employees</p> <p>s. 9.10(2) Appointment of authorised persons</p> <p>Local Law Relating to Fencing</p>
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	22 December 2023
Adoption references	CEO approval CE/153473/23

Delegation	TS 8.10 Activities and Trading in Thoroughfares and Public Places Local Law - Approval of banners and banner poles
Category	Office of the CEO
Head of power	Part 02 - Local Laws
Delegator	Chief Executive Officer
Express power or duty delegated	Authorised to approve banners on banner poles
Delegates	Manager Communications and Engagement
Conditions	Nil
Statutory framework	Activities and Trading in Thoroughfares and Public Places Local Law
Policy	Nil
Date adopted	27 June 2019
Adoption references	Executed Delegation Review CD/47596/19
Last reviewed	27 June 2019

Part 3 - Building Act 2011

Permit authority functions of the Building Act 2011

Delegation	NEW TBC Building Act 2011 - Approve or refuse to grant building and demolition permits
Head of power	Part 03 - Building Act 2011
Delegator	Chief Executive Officer
Express power to delegate	Building Act 2011 s127(6A) The CEO of a local government may delegate to any other local government employee a power or duty of the local government.
Express power or duty delegated	<p><i>Building Act 2011:</i></p> <p>s.18 Further Information s.20 Grant of building permit s.21 Grant of demolition permit s.22 Further grounds for not granting an application s.27(1) and (3) Impose Conditions on Permit</p> <p><i>Building Regulations 2012:</i></p> <p>r.23 Application to extend time during which permit has effect (s.32) r.24 Extension of time during which permit has effect (s.32(3)) r.26 Approval of new responsible person (s.35(c))</p>
Function	<p>Authority to:</p> <ol style="list-style-type: none"> 1. require an applicant to provide any documentation or information required to determine a building or demolition permit application [s.18]. 2. Grant or refuse to grant a building permit [s.20 and s.22]. 3. Grant or refuse to grant a demolition permit on the basis that all s.21(1) requirements have been satisfied (s.21 and s.22) 4. Impose, vary or revoke conditions on a building or demolition permit [s.27]. 5. Determine an application to extend time during which a building or demolition permit has effect [r.23]. <ol style="list-style-type: none"> i. Subject to being satisfied that work for which the building or demolition permit was granted has not been completed or the extension is necessary to allow rectification of defects of works for which the permit was granted [r.24(1)]. ii. Authority to impose any condition on the building or demolition permit extension that could have been imposed under s.27 [r.24]. 5. Authority to approve, or refuse to approve, an application for a new responsible person for a building permit [r.26].
Delegates	Building Services Manager Coordinator Building Services (Commercial) Coordinator Building Services (Residential) Senior Building Surveyor - Commercial Senior Building Surveyor - Residential

Conditions	<p><i>Building Act 2011</i> s.119 Building and demolition permits – application for review by SAT s.23 Time for deciding application for building or demolition permit s.17 Uncertified application to be considered by building surveyor</p> <p>Authority is subject to Delegates holding the appropriate qualifications as set out under Part 3A Building Surveyors of the Building Services (Regulations) 2011.</p>
Express power to subdelegate	Nil
Statutory framework	<p>Building Act 2011 Building Regulations 2012 Building Services (Registration) Act 2011 - Section 7 Building Services (Registration) Regulations 2011 Home Building Contracts Act 1991 - Part 3A, Division 2 - Part 7, Division 2 Heritage Act 2018</p>
Policy	Nil
Record keeping	The exercise of this delegation is to be recorded.
Date adopted	27 October 2020
Adoption references	CEO executed document - CD/130871/20

Amendments			
Date	Type	Amendment	References
27 Oct 2020	Amended delegation	Delegation transitioned from Council to Officer to CEO to Officer, with CEO now delegated all powers under the Building Act 2011.	CEO executed document - CD/130871/20

Delegation	NEW TBC Building Act 2011 - Occupancy Permits or Building Approval Certificates
Head of power	Part 03 - Building Act 2011
Delegator	Chief Executive Officer
Express power to delegate	<i>Building Act 2011</i> s127(6A) The CEO of a local government may delegate to any other local government employee a power or duty of the local government.
Express power or duty delegated	<i>Building Act 2011:</i> s.55 Further information s.58 Grant of occupancy permit, building approval certificate s.62(1) and (3) Conditions imposed by permit authority s.65(4) Extension of period of duration <i>Building Regulations 2012</i> r.40 Extension of period of duration of time limited occupancy permit or building approval certificate (s.65)
Function	Authority to <ol style="list-style-type: none"> 1. Require an applicant to provide any documentation or information required in order to determine an application [s.55]. 2. Grant, refuse to grant or to modify an occupancy permit or building approval certificate [s.58]. 3. Impose, add, vary or revoke conditions on an occupancy permit [s.62]. 4. Extend, or refuse to extend, the period in which an occupancy permit or modification or building approval certificate has effect [s.65 and r.40].
Delegates	Building Services Manager Coordinator Building Services (Commercial) Coordinator Building Services (Residential) Senior Building Surveyor - Commercial Senior Building Surveyor - Residential
Conditions	<i>Building Act 2011</i> s.59 time for granting occupancy permit or building approval certificate s.60 Notice of decision not to grant occupancy permit or grant building approval certificate s.121 Occupancy permits and building approval certificates – application for review by SAT Subject to Delegates holding the appropriate qualifications as set out under part 3A – Building Surveyors of the Building Services (Registration) Regulations 2011 .
Express power to subdelegate	Nil
Statutory framework	Building Act 2011 Building Services (Complaint Resolution and Administration) Act 2011 – Part 7, Division 2 Building and Construction Industry Training Levy Act 1990 Heritage Act 2018
Policy	Nil

Record keeping	The exercise of this delegation is to be recorded.
Date adopted	27 October 2020
Adoption references	CEO executed document - CD/130871/20

Delegation	NEW TBC Building Act 2011 - Building Orders
Head of power	Part 03 - Building Act 2011
Delegator	Chief Executive Officer
Express power to delegate	<i>Building Act 2011</i> s127(6A) The CEO of a local government may delegate to any other local government employee a power or duty of the local government.
Express power or duty delegated	<i>Building Act 2011:</i> s.110(1) A permit authority may make a building order s.111(1) Notice of proposed building order other than building order (emergency) s.117(1) and (2) A permit authority may revoke a building order or notify that it remains in effect s.118(2) and (3) Permit authority may give effect to building order if non-compliance s.133(1) A permit authority may commence a prosecution for an offence against this Act
Function	<ol style="list-style-type: none"> 1. Authority to make Building Orders in relation to: <ol style="list-style-type: none"> a. Building work b. Demolition work c. An existing building or incidental structure [s.110]. 2. Authority to give notice of a proposed building order and consider submissions received in response and determine actions [s.111]. 3. Authority to revoke a building order [s.117]. 4. If there is non-compliance with a building order, authority to cause an authorised person to: <ol style="list-style-type: none"> a. take any action specified in the order ; or b. commence or complete any work specified in the order; or c. if any specified action was required by the order to cease, to take such steps as are reasonable to cause the action to cease [s.118]. 5. Authority to take court action to recover as a debt, reasonable costs and expense incurred in doing anything in regard to non-compliance with a building order [s.118]. 6. Authority to initiate a prosecution pursuant to section 133(1) for non-compliance with a building order made pursuant to section 110 of the Building Act 2011.
Delegates	Building Services Manager Executive Director Development Services Head of Strategic Planning, Place & Development
Conditions	<p>A building order issued must be in accordance with the following sections of the <i>Building Act 2011</i></p> <p>s.111 Notice of proposed building order other than building order (emergency) s.112 Content of building order s.113 Limitation on effect of building order s.114 Service of building order Part 9 Review - s.122 Building orders – application for review by SAT</p> <p>Action under clauses 5 and 6 of the Function are to be referred to the Chief Executive Officer for approval prior to proceeding.</p>

Express power to subdelegate	Nil
Statutory framework	Building Act 2011 Building Regulations 2012 – r.25 Review of decision to refuse to extend time during which permit has effect (s.32(3)) – reviewable by SAT Building Services (Registration Act) 2011 – Section 7 Home Building Contracts Act 1991 – Part 3A, Division 2 – Part 7, Division 2 Building and Construction Industry Training Levy Act 1990 Heritage Act 2018
Policy	Nil
Record keeping	The exercise of this delegation is to be recorded in Attain.
Date adopted	27 October 2020
Adoption references	CEO executed document - CD/130871/20

Delegation	NEW TBC Building Act 2011 - Inspection and Copies of Building Records
Head of power	Part 03 - Building Act 2011
Delegator	Chief Executive Officer
Express power to delegate	<i>Building Act 2011</i> s127(6A) The CEO of a local government may delegate to any other local government employee a power or duty of the local government.
Express power or duty delegated	<i>Building Act 2011</i> s131(2) Inspection, copies of building records
Function	Authority to determine an application from an interested person to inspect and copy a building record [s.131].
Delegates	Building Services Administrator Building Services Manager Coordinator Building Services (Commercial) Coordinator Building Services (Residential) Senior Building Information Officer Senior Building Surveyor - Commercial Senior Building Surveyor - Residential
Conditions	Nil
Express power to subdelegate	Nil
Statutory framework	<i>Building Act 2011</i> s146 Confidentiality
Policy	Nil
Record keeping	The exercise of this delegation is to be recorded in Attain.
Date adopted	27 October 2020
Adoption references	CEO executed document - CD/130871/20

Delegation	NEW TBC Building Act 2011 - Referrals and Issuing Certificates
Head of power	Part 03 - Building Act 2011
Delegator	Chief Executive Officer
Express power to delegate	<i>Building Act 2011</i> s127(6A) The CEO of a local government may delegate to any other local government employee a power or duty of the local government.
Express power or duty delegated	<i>Building Act 2011</i> s145A Local Government Functions
Function	Authority to: <ol style="list-style-type: none"> 1. Refer uncertified applications under s.17(1) to a building surveyor who is not employed by the local government [s.145A(1)]. 2. Issue a certificate for Design Compliance, Construction Compliance or Building Compliance whether or not the land subject of the application is located in the City of Armadale's District [s.145A(2)].
Delegates	Building Services Manager Coordinator Building Services (Commercial) Coordinator Building Services (Residential) Senior Building Surveyor - Commercial Senior Building Surveyor - Residential
Conditions	Nil
Express power to subdelegate	Nil
Statutory framework	Building Act 2011
Policy	Nil
Record keeping	The exercise of this delegation is to be recorded in Attain.
Date adopted	27 October 2020
Adoption references	CEO executed document - CD/130871/20

Delegation	NEW TBC Building Act 2011 - Approved Alternative Requirements and Performance Solution
Head of power	Part 03 - Building Act 2011
Delegator	Chief Executive Officer
Express power to delegate	<i>Building Act 2011</i> s127(6A) The CEO of a local government may delegate to any other local government employee a power or duty of the local government.
Express power or duty delegated	<i>Building Regulations 2012</i> r51 Approval by permit authority.
Function	<p>Authority to approve:</p> <ol style="list-style-type: none"> 1. Requirements alternative to a fence, wall, gate or other component included in the barrier, if satisfied that the alternative requirements will restrict access by young children as effectively as if there were compliance with AS 1926.1. 2. A door for the purposes of compliance with AS 1926.1, where a fence or barrier would cause significant structural or other problem which is beyond the control of the owner / occupier or the pool is totally enclosed by a building or a fence or barrier between the building and pool would create a significant access problem for a person with a disability. 3. A performance solution to a Building Code pool barrier requirement if satisfied that the performance solution complies with the relevant performance requirement.
Delegates	Building Services Manager Coordinator Building Services (Commercial)
Conditions	Nil
Express power to subdelegate	Nil
Statutory framework	Building Act 2011 Building Regulations 2012 AS 1926.1 - Swimming pool safety-Safety barriers for swimming pools
Policy	Nil
Record keeping	The exercise of this delegation is to be recorded.
Date adopted	27 October 2020
Adoption references	CEO executed document - CD/130871/20

Delegation	NEW TBC Building Act 2011 - Smoke Alarms - Alternative Building Solutions
Head of power	Part 03 - Building Act 2011
Delegator	Chief Executive Officer
Express power to delegate	<i>Building Act 2011</i> s127(6A) The CEO of a local government may delegate to any other local government employee a power or duty of the local government.
Express power or duty delegated	<i>Building Regulations 2012</i> r.55 Terms Used (alternative building solution approval) r.61 Local Government approval of battery powered smoke alarms
Function	Authority to <ol style="list-style-type: none"> 1. Approve alternative building solutions which meet the performance requirement of the Building Code relating to fire detection and early warning [r.55]. 2. Approve or refuse to approve a battery powered smoke alarm and to determine the form of an application for such approval [r.61].
Delegates	Building Services Manager Coordinator Building Services (Commercial) Coordinator Building Services (Residential) Senior Building Surveyor - Commercial Senior Building Surveyor - Residential
Conditions	Nil
Express power to subdelegate	Nil
Statutory framework	Building Act 2011 Building Regulations 2012 Building Code Australia
Policy	Nil
Record keeping	The exercise of this delegation is to be recorded in Attain.
Date adopted	27 October 2020
Adoption references	CEO executed document - CD/130871/20

Part 5 - Cat Act 2011

Delegation	5.2.1 Cat Act 2011 - administration of functions and powers (sub-delegation)
Category	Community Services Directorate
Head of power	Part 05 - Cat Act 2011
Delegator	Chief Executive Officer
Express power to delegate	<i>Cat Act 2011</i> s. 45 - Delegation by CEO of local government
Express power or duty delegated	<i>Cat Act 2011</i> s. 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. 49(3) - Recovery of costs to destroy a cat

Function	<ol style="list-style-type: none"> 1. Grant, or refuse to grant, the registration or the renewal of the registration of a cat [Cat Act, s. 9(1)] 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)] 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)] 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)] 5. Cancel the registration of a cat for any of the grounds prescribed [Cat Act, s. 10] 6. Allot a registration number to a cat that the local government registers, and give the owner a registration certificate and a registration tag for the cat showing the registration number [Cat Act s. 10(1)] 7. Replace a lost, stolen or destroyed registration certificate or registration tag [Cat Act s. 11(2)] 8. Maintain a register of cats containing the information prescribed, in a form the delegate thinks fit and correct any error or omission in the register [Cat Act, s. 12] 9. Issue a notice of decision to an applicant [Cat Act, s. 13] 10. Give a cat control notice to a person who is the owner of a cat [Cat Act, s. 26] 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] 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] 13. Deal with an unidentified or unclaimed cat in the manner prescribed by section 34 of the Act [Cat Act, s. 34] 14. Grant, or refuse to grant, the approval or the renewal of an approval to breed cats [Cat Act, s. 37(1)] 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)] 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)] 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)] 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] 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] 20. Issue a notice of decision to an applicant [Cat Act, s. 40] 21. 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)]
Delegates	<p>Administration Officer - Ranger Services Customer Service Officer Executive Director Community Services Manager Ranger & Emergency Services Ranger Senior Administration Officer - Ranger Services Senior Customer Service Officer Senior Ranger</p>
Conditions	<ol style="list-style-type: none"> 1. Senior Administration Officer - Ranger Services, Administration Officer - Ranger Services, Senior Customer Service Officer and Customer Service Officer are restricted to Functions 1, 2, 3, 4, 6, 7 and 8. 2. Prior to exercising Function 14, Executive Director Development Services is to be consulted.

Date adopted	22 December 2023
Adoption references	CEO approval CE/153473/23

Part 6 - Dog Act 1976

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

Delegation	6.2.1 Dog Act 1976 - registration functions (sub-delegation)
Category	Community Services Directorate
Head of power	Part 06 - Dog Act 1976
Delegator	Chief Executive Officer
Express power to delegate	<i>Dog Act 1976</i> s. 10AA(3) - Delegation of local government powers and duties.
Express power or duty delegated	<i>Dog Act 1976</i> s.15(4A) Registration periods and fees s.16(3) and (4) Registration procedure s.17A(2) If no application for registration made s.17(4) and (6) Refusal or cancellation of registration s. 26(3) Limitation as to numbers - exemptions s. 26(3)(a) Limitation as to numbers - exemptions - imposing conditions s. 26(3)(c) Limitation as to numbers - exemptions - revoke or vary s. 62(2)(a) Transitional provision for centralised registration system

Function	<ol style="list-style-type: none"> 1. Determine to refuse a dog registration and refund the fee, if any [s. 16(2)]. 2. Direct the Registration Officer to refuse to effect or renew or to cancel the registration of a dog, and to give notice of such decisions, where: <ol style="list-style-type: none"> i. the applicant, owner or registered owner has been convicted of an offence or paid a modified penalty within the past 3-years in respect of 2 or more offences against this Act, the <i>Cat Act 2011</i> or the <i>Animal Welfare Act 2002</i> [Act, s. 16(3)(a)]; or 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 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 iv. the dog is required to be microchipped but is not microchipped [Act, s. 16(3)(da)]; or v. the dog is a dangerous dog [Act, s. 16(3)d)]. 3. Discount or waive a registration fee, including a concessional fee, for any individual dog or any class of dogs within the City of Armadale's District [s. 15(4A)]. 4. 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)]. 5. 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)]. 6. Authority, following seizure, to determine to cause the dog to be detained or destroyed or otherwise disposed of as though it had been found in contravention of section 31, 32 or 33A and had not been claimed [s. 17(6)]. 7. 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)]. 8. Impose conditions in respect of an exemption given pursuant to s. 26(3) of the Act [Act, s. 26(3)(a)]. 9. 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)]. 10. 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)].
Delegates	<p>Administration Officer - Ranger Services Customer Service Officer Executive Director Community Services Manager Ranger & Emergency Services Ranger Senior Administration Officer - Ranger Services Senior Customer Service Officer Senior Ranger</p>
Conditions	<ol style="list-style-type: none"> 1. 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; <ol style="list-style-type: none"> a) cl. 2.1-Determining of charges and costs b) cl. 3.3(2) - Fees determined for the lodgement of an exemption c) cl. 4.10(4) - Fees determined for the lodgement of an application for a licence for a kennel establishment. 2. Item 10 above may only be used if the Director General has permitted the City to use and add information to the centralised registration system. 3. Functions 5, 6, 7, 8 and 9 shall only be exercised by Executive Director Community Services or Manager Ranger & Emergency Services. 4. Functions 5 and 6 shall not be exercised by the same delegate. 5. Before exercising the powers prescribed by Function 5, the City Governance business unit must be consulted.

Express power to subdelegate	Nil.
Subdelegate conditions	N/A
Statutory framework	<p><i>Dog Act 1976</i> s. 17A - If no application for registration made – procedure for giving notice of decision under s16(3).</p> <p>City of Armadale Local Law Relating to Dogs NOTE: Decisions under this Delegation may be referred for review by the State Administrative Tribunal (SAT) [s. 16A, 17(4) and (6)].</p>
Policy	Nil
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	22 December 2023
Adoption references	CEO approval CE/153473/23

Delegation	6.2.2 Dog Act 1976 - dog control and enforcement functions (sub-delegation)
Category	Community Services Directorate
Head of power	Part 06 - Dog Act 1976
Delegator	Chief Executive Officer
Express power to delegate	Dog Act 1976 s. 10AA(3) - Delegation of local government powers and duties
Express power or duty delegated	Dog Act 1976 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. 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
Function	<ol style="list-style-type: none"> 1. Recover monies due under the Act in relation to a dog for which the owner is liable [Act, s. 29 (5)]. 2. Dispose of or sell a dog which is liable to be destroyed [Act, s. 29(11)]. 3. Declare an individual dog to be a dangerous dog [Act, s. 33E(1)]. 4. Give written notice declaring a dog to be a dangerous dog (declared) to the owner of that dog [Act, s. 33F(1)]. 5. Consider and determine to either dismiss or uphold an objection to seizure of a dangerous dog [Act, s.33G(4)]. 6. 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)]. 7. 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)]. 8. 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)]. 9. Consider and determine to either dismiss or uphold an objection to a decision to revoke: <ol style="list-style-type: none"> (a) a notice declaring a dog to be dangerous; or (b) a notice proposing to cause a dog to be destroyed [Act, s.33H(5)]. 10. Apply to the court for an order to destroy a dog [Act, s. 39(1)]. 11. Authorise an employee to take proceedings under the Act, whether civil or penal [Act, s. 44 (2)(b)]
Delegates	Executive Director Community Services Manager Ranger & Emergency Services
Conditions	Functions 5, 6, 8 and 9 shall only be exercised by Executive Director Community Services.
Express power to subdelegate	Nil
Subdelegate conditions	N/A

Statutory framework	<p><i>Dog Act 1976</i> s. 17A - If no application for registration made – procedure for giving notice of decision under s. 16(3).</p> <p><i>Criminal Procedure Act 2004</i> s. 3(1) Terms used - public authority for the purposes of the Act s. 20(1)(b) Who can commence prosecution</p> <p>NOTE: Decisions under this Delegation may be referred for review by the State Administrative Tribunal (SAT) [s. 16A, s. 17(4) and (6)].</p>
Policy	Nil
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	22 December 2023
Adoption references	CEO approval CE/153473/23

Delegation	6.2.3 Dog Act 1976 - administration (sub-delegation)
Category	Community Services Directorate
Head of power	Part 06 - Dog Act 1976
Delegator	Chief Executive Officer
Express power to delegate	Dog Act 1976 s. 10AA(3) - Delegation of local government powers and duties
Express power or duty delegated	Dog Act 1976 s. 9 Administrative responsibility s. 10AA(3) - Delegation of local government powers and duties. s. 14 Register of dogs s. 19 Refund of fee on cancellation s. 27 Licensing of approved kennel establishments
Function	<ol style="list-style-type: none"> 1. Duty of the local government to administer and enforce the Act [Act, s. 9] 2. 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] 3. 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] 4. Grant or refuse to grant a kennel licence [Act, s. 27(4)] 5. Cancel a kennel licence if the delegate is dissatisfied with the conduct of the establishment [Act, s. 27(5) and (6)]. 6. Undertake civil proceedings under this Act in the name of the local government [Act, s. 44(2)(b)]
Delegates	Administration Officer - Ranger Services Customer Service Officer Executive Director Community Services Manager Ranger & Emergency Services Ranger Senior Administration Officer - Ranger Services Senior Ranger
Conditions	<ol style="list-style-type: none"> 1. Any reason for an error or omission in the register is to be corrected is to be provided to the Manager Ranger and Emergency Services. 2. Functions 4, 5 and 6 are limited to Executive Director Community Services and Manager Ranger and Emergency Services. 3. Prior to granting a kennel licence [Act, s. 27(4)] or renewing a kennel licence [Act, s. 27(5)], Executive Director Development Services is to be consulted.
Express power to subdelegate	Nil.
Subdelegate conditions	Nil

Statutory framework	<p><i>Dog Act 1976</i></p> <ul style="list-style-type: none"> s. 9 Administrative responsibility s. 10AA(3) - Delegation of local government powers and duties. s. 14 Register of dogs s. 19 Refund of fee on cancellation s. 27 Licensing of approved kennel establishments <p>Local Law Relating to Dogs</p>
Policy	Nil
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	22 December 2023
Adoption references	CEO approval CE/153473/23

Part 9 - Planning and Development Act 2005

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

Delegation	9.2.1 Developer Contribution Plans - acquisition of land, credit offsets (sub-delegation)
Category	Development Services Directorate
Head of power	Part 09 - Planning and Development Act 2005
Delegator	Chief Executive Officer
Express power to delegate	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2 cl. 83 Local government CEO may delegated powers
Express power or duty delegated	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2; Part 10, Division 1 - Powers of local government Town Planning Scheme No.4 Part 5A Development Contribution Areas; Schedule 9B Development Contribution Plans
Function	Administration of Part 5A of the City of Armadale Town Planning Scheme No. 4 in respect to Development Contribution Areas, where the Scheme expressly requires the local government to administer, manage and disburse Development Contribution Area funds and agreements, with the exception of – 1. Determination of Infrastructure Cost Schedules 2. Determination of other fees and charges associated with administration of a Developer Contribution Plan 3. Deciding to claim compensation for betterment under section 184 of the <i>Planning and Development Act 2005</i>
Delegates	Executive Director Development Services Head of Strategic Planning, Place & Development Manager Strategic Planning Project Manager - Contribution Arrangements

Conditions	<p>1. Prefunding or undertaking of infrastructure or administrative works leading to and including the granting of credits or payments for the infrastructure or administrative works that are identified in a Development Contribution Plan included in Town Planning Scheme No.4 or under interim contribution arrangements pertaining to a Development Contribution Plan that is to be included in Town Planning Scheme No. 4 subject to -</p> <ul style="list-style-type: none"> a. The Development Contribution Plan and/or budget allocation being approved by Council; b. The works will meet the objectives implicit in the Scheme text or interim contribution arrangements describing the infrastructure or administrative work; and c. the works are in accordance with the Development Contribution Plan or interim contribution arrangements text and specifications or guidance noted in the adopted or draft Infrastructure Cost Schedule, Cost Apportionment Schedule, Development Contribution Plan Report or Deed of Agreement; and d. it is timely to fund the works in the context of the Development Contribution Plan or interim contribution arrangements and taking into consideration forward financial planning for the Development Contribution Plan, Cost Contributions already received by the City and the need to act opportunistically to achieve the works; and e. the cost of works to be undertaken are at or below current market rates; or f. where the cost is higher than the estimated costs that the costs can be justified and that decisions are considered with due regard for points i and ii below: <ul style="list-style-type: none"> i. where in the opinion of the Chief Executive Officer works may significantly exceed the estimated costs for an entire infrastructure or administrative works item and have a significant financial impact on an overall Development Contribution Plan infrastructure program excluding cost increases for State Government service costs, the Chief Executive Officer shall refer the proposal to Council for consideration as to whether the work should be implemented as proposed, revised in scope, or deferred. ii. the granting of credits or payments may be conditional upon the proponent that is undertaking the works providing itemised records of expenditure with Credits being accrued only after receipt of expenditure records. <p>2. Acquisition of land and/or granting of credits or provision of payments pertaining to land identified in a Development Contribution Plan included in Town Planning Scheme No.4 or interim contribution arrangements pertaining to a Development Contribution Plan that is to be included in Town Planning Scheme No. 4 shall be –</p> <ul style="list-style-type: none"> a. Approved by Council and/or contained in a budget allocation adopted by Council; b. at a value less than or equal to the land value established pursuant to a Development Contribution Plan included in Town Planning Scheme No.4 or interim contribution arrangements pertaining to a Development Contribution Plan that is to be included in Town Planning Scheme No. 4 and if provided for in the Development Contribution Plan an additional 10%; or c. At a value equal to or less than the land value established pursuant to a Development Contribution Plan included in Town Planning Scheme No.4 or interim contribution arrangements pertaining to a Development Contribution Plan that is to be included in Town Planning Scheme No.4 and if provided for in the Development Contribution Plan an additional 10% and any additional claim that is not significant and/or in accordance with advice from the City's valuer; d. taking into consideration forward financial planning, Cost Contributions already received by the City and the need to act opportunistically to achieve the works. <p>3. Advertisement of reviews of Contribution Costs, Infrastructure Cost Schedules and Assessed Values pertaining to a Development Contribution Plan included in Town Planning Scheme No.4 or interim contribution arrangements pertaining to a Development Contribution Plan that is to be included in Town Planning Scheme No.4 is to be conducted.</p> <p>4. Project Manager - Contribution Arrangements is limited to amounts less than \$250,000 and Conditions (1) & (2).</p> <p>5. Condition (3) to be performed by Executive Director Development Services only.</p>
Express power to subdelegate	Nil.

Subdelegate conditions	N/A
Statutory framework	<p><i>Planning and Development Act 2005</i> s. 256 Regulations for content of local planning schemes s. 257A Model provisions, effect of s. 257B Deemed provisions, effect of</p> <p><i>Planning and Development (Local Planning Schemes) Regulations 2015</i> r. 8 Contents of local planning scheme Schedule 1 - Model provisions for local planning schemes cl. 83 Local Government CEO may delegate powers</p> <p>Town Planning Scheme No. 4.</p>
Policy	Local Planning Policies may refer
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	29 July 2025
Adoption references	A/CEO approval CD/39923/25

Amendments			
Date	Type	Amendment	References
29 Jul 2025	New delegation	N/A	A/CEO approval CD/39923/25

Delegation	9.2.2 Town Planning Scheme No. 4 – development control (sub-delegation)
Category	Development Services Directorate
Head of power	Part 09 - Planning and Development Act 2005
Delegator	Chief Executive Officer
Express power to delegate	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> cl. 83 -Local government CEO may delegate powers Schedule 2 - Deemed Provisions for Local Planning Schemes
Express power or duty delegated	Authority to exercise functions and powers of Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> under the Deemed Provisions, Town Planning Scheme No. 4, Local Planning Policies, and provide advice/recommendations to the Western Australian Planning Commission, Government Departments and DevelopmentWA on all referrals.
Function	<p>1) Approve, with or without conditions or refuse –</p> <ul style="list-style-type: none"> (a) any strata, survey strata, subdivision or amalgamation application, referral or certificate; (b) any application for a 'P', 'D' or 'A' use, 'Use Not Listed' or a 'Non-Confirming Use' and Works; (c) any application for a sign(s) and/or advertising device, illuminated directional sign or directional sign; (d) any application for an extension to the term of an existing development approval; (e) applications for the establishment or variation of a development envelope, with the exception of development envelopes on lots larger than one (1ha) hectare that propose development envelope modifications that exceed the maximum development envelope size specified in Table 1 of Local Planning Policy 2.1 'Establishment or Amendment of Development Envelopes', unless the envelope has had previous approval and is not increasing in size; (f) applications for two houses on one lot in a General Rural Zone; (g) any application to vary standard development requirements in all zones; (h) any application for parking a commercial vehicle, including an annual renewal of an approval previously granted; (i) revoke an approval previously issued for parking a commercial vehicle; (j) an amendment or cancellation of a development approval; (k) any retrospective development applications; (l) the necessity, duration and extent of advertising of development applications under Town Planning Scheme No. 4, the Residential Design Codes of Western Australia and any policy of Council; (m) any requests to waive or refund in whole or in part payment of a fee for a planning service. <p>2) Refuse applications for 'X' uses in all zones in the district;</p> <p>3) Where Local Planning Policy contains a discretionary function affecting the approval or refusal of an application and the policy refers to "Council" and/or "the City", approve or refuse that application based on its compliance with that policy;</p> <p>4) Make recommendations and/or provide comment to state government departments/agencies on development application referrals.</p>

Delegates	<p>Coordinator Growth and Urban Regeneration Coordinator Statutory Planning Coordinator Strategic Planning Executive Director Development Services Head of Strategic Planning, Place & Development Manager Statutory Planning Manager Strategic Planning Senior Liaison & Compliance Officer Senior Statutory Planning Officer Senior Strategic/Statutory Planning Officer</p>
Conditions	<p>1) Applications involving new unit developments (grouped, multiple, aged or single persons dwellings) within the River Road Heritage Precinct Area covered by Policy PLN 3.9 shall be referred to Council for determination where approval is recommended, excepting an amended application(s) that does not substantially alter the existing approval.</p> <p>2) Applications within the General Rural and Rural Living zones involving the following new land uses or where a previous approval for the use does not exist on the lot shall be referred to Council for determination, where approval is recommended:</p> <ul style="list-style-type: none"> - Industry – Extractive; - Place of Worship <p>3) Senior Liaison and Compliance Officer is limited to function (1)(h).</p> <p>4) Function (1)(m) to be performed by Executive Director Development Services, Manager Statutory Planning & Manager Strategic Planning only.</p>
Express power to subdelegate	Nil.
Subdelegate conditions	N/A
Statutory framework	<p><i>Planning and Development Act 2005</i> Western Australian Planning Commission delegated functions (delegated pursuant to s. 16 of the <i>Planning and Development Act 2005</i>) to local government officers pertaining to the exercise of prescribed functions of the Metropolitan Region Scheme and the <i>Strata Titles Act 1985</i> functions, as amended by the Commission from time to time.</p> <p><i>Planning and Development (Local Planning Schemes) Regulations 2015</i> cl. 83 -Local government CEO may delegate powers Schedule 2 - Deemed Provisions for Local Planning Schemes;</p> <p><i>Metropolitan Region Scheme</i> Referral requirements for certain applications to the Western Australian Planning Commission for determination that is of State or regional significance, as advised by the Commission, and certain development within Activity Centres under Clause 32 of the Metropolitan Region Scheme, as amended by the Commission from time to time.</p> <p><i>Town Planning Scheme No. 4</i></p>
Policy	Local Planning Policies may refer
Record keeping	Exercise of the functions are to be recorded in the City's records management system and Attain.
Date adopted	29 July 2025

Adoption references	A/CEO approval - CD/39923/25
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Amendments			
Date	Type	Amendment	References
29 Jul 2025	New delegation	N/A	A/CEO approval - CD/39923/25

Delegation	9.2.3 Determine applications involving properties listed on the Local Heritage Survey and or Heritage List (sub-delegation)
Category	Development Services Directorate
Head of power	Part 09 - Planning and Development Act 2005
Delegator	Chief Executive Officer
Express power to delegate	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> cl. 83 - Local government CEO may delegate powers
Express power or duty delegated	Authority to determine development applications involving properties listed on the Local Heritage Survey and Heritage List
Function	<p>Approvals Approve applications involving properties listed on the Local Heritage Survey and/or Heritage List subject to the application satisfying the following criteria: Applications for development involving properties, objects, structures and places listed as Category '1 and 2':</p> <ul style="list-style-type: none"> • The proposal is consistent with the current Town Planning Scheme and any Policy provisions that may be relevant; • Consultation has been undertaken with the Community Heritage Advisory Group (or its members) and no response, no objection or favourable advice is received. <p>Applications for development involving properties, objects, structures and places listed as Categories '3 and 4' in the Local Heritage Survey:</p> <ul style="list-style-type: none"> • The proposal is consistent with the current Town Planning Scheme and any policy provisions that may be relevant; and • Consultation has been undertaken with the Community Heritage Advisory Group (or its members). <p>Refusals</p> <p>Delegated authority to refuse applications involving properties listed on the Heritage List and/or Local Heritage Survey if any of the following apply:</p> <ul style="list-style-type: none"> • The proposal is not consistent with the current Town Planning Scheme and/or any relevant Policy provisions, or any other planning reason; • The proposal would have a detrimental effect on the integrity of heritage value of the site; • The advice received from the heritage referral agencies or the Community Heritage Advisory Group (or its members) is not favourable to the application. <p><i>Notes: Where an application has been submitted by a qualified heritage architect or is accompanied by a report from such a professional, this will assist in consideration of the application.</i></p>
Delegates	Executive Director Development Services Head of Strategic Planning, Place & Development Manager Statutory Planning Manager Strategic Planning
Conditions	Nil.

Express power to subdelegate	Nil.
Subdelegate conditions	N/A
Statutory framework	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> cl. 83 - Local government CEO may delegate powers Town Planning Scheme No.4 and Local Planning Policies <i>Planning and Development Act 2005</i> and State Planning Policies
Policy	Refer to relevant Local Planning Policies
Record keeping	Use of the delegation is to be recorded in the City's records management system and Attain
Date adopted	29 July 2025
Adoption references	A/CEO approval - CD/39923/25

Amendments			
Date	Type	Amendment	References
29 Jul 2025	New delegation	N/A	A/CEO approval - CD/39923/25

Delegation	9.2.5 Issue, Refuse, and Rescind Tree Preservation Notices (sub-delegation)
Category	Development Services Directorate
Head of power	Part 09 - Planning and Development Act 2005
Delegator	Chief Executive Officer
Express power to delegate	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> cl. 83 - Local government CEO may delegate powers Schedule 2 - Deemed Provisions for Local Planning Schemes
Express power or duty delegated	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2; Part 10, Division 1 - Powers of local government Town Planning Scheme No.4 Schedule A, clause 80A
Function	Authority to Issue, Refuse and Rescind Tree Preservation Notices 1) Determine if a tree is sufficiently significant to warrant issuing a notice to an owner based on advice and assessment in accordance with Policy PLN 2.4; 2) Issue a notice if a tree is determined to be sufficiently significant, or if it is expedient to do so until such time as an assessment is completed; and 3) Rescind a notice following an assessment or re-assessment of the tree in accordance with Policy PLN 2.4; and 4) Refuse or decline requests to rescind a notice based on advice and assessment in accordance with Policy PLN 2.4. 5) refuse to issue a notice when a nomination is received seeking issuance of a notice and the City does not consider the tree sufficiently significant to warrant a notice.
Delegates	Executive Director Development Services Manager Statutory Planning
Conditions	Nil.
Express power to subdelegate	Nil.
Subdelegate conditions	N/A
Statutory framework	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> r. 8 Contents of local planning scheme Schedule 2 – Deemed Provisions cl. 83 Local government CEO may delegate City of Armadale Town Planning Scheme No 4 Schedule A, cl. 80A
Policy	PLN 2.4 – Landscape Feature and Tree Preservation

Record keeping	Use of the delegation is to be recorded in the City's records management system and Attain
Date adopted	29 July 2025
Adoption references	A/CEO approval - CD/39923/25

Amendments			
Date	Type	Amendment	References
29 Jul 2025	New delegation	N/A	A/CEO approval - CD/39923/25

Delegation	9.2.6 Exercise discretion on behalf of Council to reach determination, where appropriate, of appeals processed by mediation (sub-delegation)
Category	Development Services Directorate
Head of power	Part 09 - Planning and Development Act 2005
Delegator	Chief Executive Officer
Express power to delegate	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> cl. 83 -Local government CEO may delegate powers Schedule 2 - Deemed Provisions for Local Planning Schemes
Express power or duty delegated	Perform all functions associated with applications for review to the State Administrative Tribunal and to exercise discretion on behalf of the local government.
Function	1) Administer and represent the City in proceedings at the State Administrative Tribunal and reach determination, where appropriate, of Applications for Review finalised through mediation by the State Administrative Tribunal under the <i>Planning and Development Act 2005</i> . 2) Make application for cost recovery on behalf of the City in association with the City's dealing with a matter before the State Administrative Tribunal.
Delegates	Coordinator Growth and Urban Regeneration Coordinator Statutory Planning Coordinator Strategic Planning Executive Director Development Services Head of Design Head of Strategic Planning, Place & Development Manager Statutory Planning Manager Strategic Planning Project Manager - Contribution Arrangements Senior Statutory Planning Officer Senior Strategic Planning Officer Senior Strategic Projects Officer Senior Strategic/Statutory Planning Officer
Conditions	1) Function delegated includes all necessary administrative actions and procedures associated with an action brought on behalf of the City in accordance with the delegated authority. 2) Function (2) to be performed by Executive Director Development Services, Head of Strategic Planning, Place & Development, Manager Statutory Planning & Manager Strategic Planning only.
Express power to subdelegate	Nil.
Subdelegate conditions	N/A
Statutory framework	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> cl. 82 - Delegations by Local Government cl. 83 - Local Government CEO may delegate powers Schedule 2 - Deemed Provisions for Local Planning Schemes

Policy	Nil.
Record keeping	Exercise of the functions are to be recorded in the City's records management system and Attain.
Date adopted	29 July 2025
Adoption references	A/CEO approval - CD/39923/25

Amendments			
Date	Type	Amendment	References
29 Jul 2025	New delegation	N/A	A/CEO approval - CD/39923/25

Delegation	9.2.7 Structure Plans and Local Development Plans (sub-delegation)
Category	Development Services Directorate
Head of power	Part 09 - Planning and Development Act 2005
Delegator	Chief Executive Officer
Express power to delegate	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> cl. 83 -Local government CEO may delegate powers Schedule 2 - Deemed Provisions for Local Planning Schemes
Express power or duty delegated	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2 - Deemed provisions for local planning schemes. City of Armadale Town Planning Scheme No. 4
Function	Make recommendations and determinations in respect of Structure Plans and Local Development Plans in accordance with Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> and Town Planning Scheme No. 4.
Delegates	Coordinator Statutory Planning Coordinator Strategic Planning Executive Director Development Services Head of Strategic Planning, Place & Development Manager Statutory Planning Manager Strategic Planning
Conditions	Nil.
Express power to subdelegate	Nil.
Subdelegate conditions	N/A
Statutory framework	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> cl. 82 - Delegations by Local Government cl. 83 -Local government CEO may delegate powers Schedule 2 - Deemed Provisions for local planning schemes City of Armadale Town Planning Scheme No. 4
Policy	Nil.
Record keeping	Exercise of the functions are to be recorded in the City's records management system and Attain.
Date adopted	29 July 2025
Adoption references	A/CEO approval - CD/36623/25

Amendments			
Date	Type	Amendment	References
29 Jul 2025	New delegation	N/A	A/CEO approval - CD/36623/25

Delegation	9.2.8 Enforcement and Direction notices - Planning and Development Act 2005 (sub-delegation)
Category	Development Services Directorate
Head of power	Part 09 - Planning and Development Act 2005
Delegator	Chief Executive Officer
Express power to delegate	<i>Local Government Act 1995</i> s. 5.44 CEO may delegate some powers and duties to other employees
Express power or duty delegated	<i>Planning and Development Act 2005</i> s. 214 Illegal development, responsible authority's powers as to s. 218 Planning scheme or condition on development, contravening etc.
Function	<p>1 . Give a written direction to a person pursuant to section 214 of the Act in respect of noncompliance with Town Planning Scheme No.4.</p> <p>2. Take action to enforce a contravention of the Town Planning Scheme No.4 and illegal development.</p> <p>3. Defend, initiate and/or commence legal proceedings for non-compliance with Town Planning Scheme No.4.</p>
Delegates	Executive Director Development Services Head of Strategic Planning, Place & Development
Conditions	Nil.
Express power to subdelegate	N/A
Subdelegate conditions	N/A

Statutory framework	<p>Local Government Act 1995</p> <p>s. 5.42(1)(b) Delegation of some powers or duties to CEO</p> <p>s. 5.43 Limitations on delegations to CEO</p> <p>s. 5.44 CEO may delegate some powers and duties to other employees</p> <p>Planning and Development Act 2005</p> <p>s. 214(2), (3) and (5) Illegal development, responsible authority's powers as to</p> <p>s. 215. Illegal development, responsible authority's powers to remove etc.</p> <p>s. 218. Planning scheme or condition on development, contravening etc.</p> <p>Criminal Procedure Act 2004</p> <p>The City of Armadale is a prescribed public authority for the purposes of regulation 7A of the <i>Criminal Procedure Regulations 2005</i>. In accordance with section 18 and section 20(1)(b) of the <i>Criminal Procedure Act 2004</i>, the Chief Executive Officer and other local government employees nominated by the Chief Executive Officer are authorised to undertake legal proceedings for the purposes of section 218 of the <i>Planning and Development Act 2005</i>. Section 218 provides –</p> <p>218. Planning scheme or condition on development, contravening etc.</p> <p>A person who —</p> <p>(a) contravenes the provisions of a planning scheme; or</p> <p>(b) commences, continues or carries out any development in any part of a region the subject of a region planning scheme or any part of an area the subject of a local planning scheme, an improvement scheme or the Swan Valley Planning Scheme otherwise than in accordance with the provisions of the planning scheme; or</p> <p>(c) commences, continues or carries out any such development which is required to comply with a planning scheme otherwise than in accordance with any condition imposed under this Act or the scheme with respect to the development, or otherwise fails to comply with any such condition, commits an offence.</p>
Policy	Nil.
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain
Date adopted	29 July 2025
Adoption references	A/CEO approval - CD/39923/25

Amendments			
Date	Type	Amendment	References
29 Jul 2025	New delegation	N/A	A/CEO approval - CD/39923/25

Part 10 - Miscellaneous powers and functions

Including but not limited to -

Graffiti Act

Litter Act

Freedom of Information Act 1992

Delegation	NEW TBC Freedom of Information - Decisions and Reviews
Category	Office of the CEO
Head of power	Part 10 - Miscellaneous powers and functions
Delegator	Chief Executive Officer
Express power to delegate	<i>Freedom of Information Act 1992</i> s100(1)(b) who in the agency makes its decisions
Express power or duty delegated	<i>Freedom of Information Act 1992</i> s100(1) Who in agency makes it decisions
Function	Authorised to make decisions pertinent to the requirements of the <i>Freedom of Information Act 1992</i> or undertake a review of decision made under the Act.
Delegates	Coordinator Records Freedom of Information Officer Head of City Legal
Conditions	<p>The following positions are authorised to undertake FOI Decisions:</p> <ul style="list-style-type: none"> • Freedom of Information Officer • Coordinator Records • Coordinator Governance & Administration • Manager Governance & Administration <p>The following positions are authorised to undertake FOI Internal Reviews:</p> <ul style="list-style-type: none"> • Coordinator Governance and Administration * • Manager Governance and Administration * <p>CEO is to be advised of any internal reviews.</p> <p>*In accordance with section 41 of the Act a review of a decision is not to be dealt with by the person who made that decision or a person who is subordinate to that person.</p>
Express power to subdelegate	Nil
Statutory framework	<i>Freedom of Information Act 1992</i>
Record keeping	Any exercise of this delegation is to be recorded in Attain
Date adopted	27 April 2021

Adoption references	CEO executed document - CD/59332/21
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Delegation	TS 9.1 Graffiti Vandalism
Category	Technical Services Directorate
Head of power	Part 10 - Miscellaneous powers and functions
Delegator	Chief Executive Officer
Express power or duty delegated	Delegated Authority to exercise of all the power and discharge of all the duties available to the CEO under Part 3 of the Graffiti Vandalism Act 2016
Delegates	Executive Director Technical Services
Conditions	Nil
Statutory framework	Part 3 Graffiti Vandalism Act 2016
Policy	ENG 16 - Graffiti
Date adopted	27 June 2019
Adoption references	Executed Delegation Review CD/47596/19
Last reviewed	27 June 2019