

DELEGATED AUTHORITY REGISTER

**COUNCIL TO CEO
AND
EMPLOYEES
2025**

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Introduction

Under section 5.42 of the *Local Government Act 1995* (Act), a local government may delegate to the Chief Executive Officer (CEO) the exercise of any of its powers or the discharge of any of its duties under the Act (other than those referred to in section 5.43), or section 214(2), (3) or (5) of the *Planning and Development Act 2005*.

The delegations contained herein have been adopted by Council at the Ordinary Council Meeting on 25 March 2025 by an absolute majority decision. The delegations made to the Chief Executive Officer, or directly to officers in accordance with the provisions of other legislation such as the *Local Government (Miscellaneous Provisions) Act 1960*, the *Strata Titles Act 1985* and the *Bush Fires Act 1954*.

Following delegation from Council to the CEO Section 5.44 of the Act permits the CEO to then delegate to any employee of the local government, the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under the Act (other than the power of delegation).

A local government cannot delegate to a CEO any of the following powers or duties:

- (a) any power or duty that requires a decision of an absolute majority of the council;
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;
- (c) appointing an auditor;
- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;
- (e) any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A, 5.100 or 5.129;
- (f) borrowing money on behalf of the local government;
- (g) hearing or determining an objection of a kind referred in section 9.5;
- (ha) The power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government;
- (h) any power or duty that requires the approval of the Minister or the Governor; or
- (i) such other powers or duties as may be prescribed.

Delegations to the CEO and employees must be reviewed every financial year and records must be kept in relation to the exercise of the power or the discharge of the duty.

The principal consideration for a local government when deciding if it should delegate a power or duty, is whether the delegation will improve the efficiency of the local government's operations whilst ensuring that its policies are consistently implemented.

Without limiting the effect of sections 58 and 59 of the *Interpretation Act 1984*, a delegation made under the *Local Government Act 1995* has effect for the period of time specified in the delegation or where no period is specified, indefinitely.

Each instrument of Delegation contains the following information:

Head of Power:	The title of the legislation under which the delegation is made.
Express Power to Delegate:	The specific legislation reference enabling delegation.
Delegation No.:	This is an alphanumeric number assigned to each delegation by the City.
Delegation Title:	A brief description of the delegation.
Legislative Reference of Power or Duty being Delegated:	The specific legislative reference for the power or duty which is delegated.
Power or Duty being Delegated:	Details of the power or duty being delegated.
Conditions of Delegation:	Conditions or limitations imposed by the Delegator to the Delegate which must be adhered to.
Delegated To	The employee position/s the power or duty is being delegated to.

Delegation from Council DC370

APPROVE OR REFUSE GRANTING OF A BUILDING PERMIT

Strategic Direction	Environment (Built and Natural)
Responsible Business Unit/s	Development Services
Responsible Officer	Manager Development Services, Coordinator Building Services
Affected Business Unit/s	Development Services

Head of Power:	<i>Building Act 2011</i>
Express Power to Delegate:	Section 127(1) and 127(3)
Delegation No.:	DC370
Delegation Title:	Approve or Refuse Grant of a Building Permit
Legislative Reference of Power:	<i>Building Act 2011</i> Section 18, 20, 22, 23 and 27 Building Regulations 2012 Regulation 23, 24 and 26
Power or Duty being Delegated:	The authority to grant or refuse to grant building permits
Conditions of Delegation:	<ul style="list-style-type: none"> • Keep a register in the approved form of all building permits granted by the local government. • Make the register available for inspection by members of the public during normal office hours. • Keep in the manner and for the prescribed period such of the prescribed documents that comprise, accompany, are provided for in, are issued as a result of, or otherwise relate to the building or incidental structure. • Give the Building Commissioner prescribed information for inclusion in the annual report submitted under the <i>Financial Management Act 2006</i> Part 5 by the accountable authority, as defined in section 3 of that Act, of the Department as defined in the <i>Building Services (Complaint Resolution and Administration) Act 2011</i> section 3. • A delegation of a special permit authority's powers or duties may be only to: <ul style="list-style-type: none"> ○ An employee of the special permit authority (s127(2)); or

	<ul style="list-style-type: none"> ○ a person employed by the local government under s5.36 of the <i>Local Government Act 1995</i>. ● Allow interested persons to inspect a building record.
Delegated To	<p>Chief Executive Officer</p> <p>Director Development and Community Services</p> <p>Manager Development Services</p> <p>Coordinator Building Services</p> <p>Assistant Building Surveyor</p>
Council Adoption	27/11/2012
Reviewed/Modified:	03/10, 02/11, 03/12, 07/12, 11/12, 03/13, 07/13, 03/14, 03/15, 03/16, 06/17, 03/19, 08/21, 03/22, 03/23, 06/24, 03/25
Relevant Management Practice:	N/A
Relevant Policy:	N/A
Relevant Delegation:	N/A

Delegation from Council DC371

APPROVE OR REFUSE GRANTING OF A DEMOLITION PERMIT

Strategic Direction	Environment (Built and Natural)
Responsible Business Unit/s	Development Services
Responsible Officer	Manager Development Services, Coordinator Building Services
Affected Business Unit/s	Development Services

Head of Power:	<i>Building Act 2011</i>
Express Power to Delegate:	Section 127 (1)
Delegation No.:	DC371
Delegation Title:	Approve or Refuse Granting of a Demolition Permit
Legislative Reference of Power:	<i>Building Act 2011</i> Section 18, 21, 22, 27(1) and 27(3) Building Regulations 2012 Regulation 23, 24 and 26
Power or Duty being Delegated:	The authority to grant or refuse to grant demolition permits.
Conditions of Delegation:	<ul style="list-style-type: none"> • Keep a register in the approved form of all demolition permits made by Local Authority. • Make the register available for inspection by members of the public during normal office hours. • Keep in the manner and for the prescribed period such of the prescribed documents that comprise, accompany, are provided for in, are issued as a result of, or otherwise relate to the building or incidental structure. • Give the Building Commissioner prescribed information for inclusion in the annual report submitted under the Financial Management Act 2006 Part 5 by the accountable authority, as defined in section 3 of that Act, of the Department as defined in the Building Services (Complaint Resolution and Administration) Act 2011 section 3. • Allow interested persons to inspect a building record. • A delegation of a special permit authority's powers or duties may be only to: <ul style="list-style-type: none"> ○ An employee of the special permit authority (s127(2)); or

	<ul style="list-style-type: none"> o a person employed by the local government under s5.36 of the <i>Local Government Act 1995</i>.
Delegated To	<p>Chief Executive Officer</p> <p>Director Development and Community Services</p> <p>Manager Development Services</p> <p>Coordinator Building Services</p> <p>Assistant Building Surveyor</p>
Council Adoption	27/11/2012
Reviewed/Modified:	03/10, 02/11, 03/12, 07/12, 11/12, 03/13, 07/13, 03/14, 03/15, 03/16, 06/17, 03/19, 08/21, 03/22, 03/23, 06/24, 03/25
Relevant Management Practice:	N/A
Relevant Policy:	N/A
Relevant Delegation:	N/A

Delegation from Council DC372

GRANT, OR REFUSE TO GRANT OCCUPANCY PERMITS OR BUILDING APPROVAL CERTIFICATES

Strategic Direction	Environment (Built and Natural)
Responsible Business Unit/s	Development Services
Responsible Officer	Manager Development Services, Coordinator Building Services
Affected Business Unit/s	Development Services

Head of Power:	<i>Building Act 2011</i>
Express Power to Delegate:	Section 127 (1) and 127(3)
Delegation No.:	DC372
Delegation Title:	Grant, or Refuse to Grant Occupancy Permits or Building Approval Certificates
Legislative Reference of Power:	Section 55, 58, 62(1), 62(3)
Power or Duty being Delegated:	The authority to grant, modify or refuse to grant occupancy permits or building approval certificates.
Conditions of Delegation:	<ul style="list-style-type: none"> • Keep a register in the approved form of all occupancy permits and building approval certificates made by the Local Authority. • Make the register available for inspection by members of the public during normal office hours. • Keep in the manner and for the prescribed period such of the prescribed documents that comprise, accompany, are provided for in, are issued as a result of, or otherwise relate to the building or incidental structure. • Give the Building Commissioner prescribed information for inclusion in the annual report submitted under the <i>Financial Management Act 2006</i> -Part 5 by the accountable authority, as defined in section 3 of that Act, of the Department as defined in the <i>Building Services (Complaint Resolution and Administration) Act 2011</i> section 3.

	<ul style="list-style-type: none"> • A delegation of a special permit authority’s powers or duties may be only to: <ul style="list-style-type: none"> ○ An employee of the special permit authority (s127(2)); or ○ a person employed by the local government under s5.36 of the <i>Local Government Act 1995</i>. • Allow interested persons to inspect a building record.
Delegated To	Chief Executive Officer Director Development and Community Services Manager Development Services Coordinator Building Services Assistant Building Surveyor
Council Adoption	27/11/2012
Reviewed/Modified:	03/10, 02/11, 03/12, 07/12, 11/12, 03/13, 07/13, 03/14, 03/15, 03/16, 06/17, 03/19, 08/21, 03/22, 03/23, 06/24, 03/25
Relevant Management Practice:	N/A
Relevant Policy:	N/A
Relevant Delegation:	N/A

Delegation from Council DC373

APPROVE OR REFUSE AN EXTENSION OF THE DURATION FOR OCCUPANCY PERMITS OR BUILDING APPROVAL CERTIFICATES

Strategic Direction	Environment (Built and Natural)
Responsible Business Unit/s	Development Services
Responsible Officer	Manager Development Services, Coordinator Building Services
Affected Business Unit/s	Development Services

Head of Power:	<i>Building Act 2011</i>
Express Power to Delegate:	Section 127 (1)
Delegation No.:	DC373
Delegation Title:	Approve or refuse an Extension of the Duration for Occupancy Permits or Building Approval Certificates
Legislative Reference of Power:	<i>Building Act 2011</i> Section 65(4) Building Regulations 2012 Regulation 40
Power or Duty being Delegated:	The authority to grant, modify or refuse to grant occupancy permits or building approval certificates.
Conditions of Delegation:	<ul style="list-style-type: none"> • Keep a register in the approved form of all occupancy permits and building approval certificates made by the Local Authority. • Make the register available for inspection by members of the public during normal office hours. • Keep in the manner and for the prescribed period such of the prescribed documents that comprise, accompany, are provided for in, are issued as a result of, or otherwise relate to the building or incidental structure. • Give the Building Commissioner prescribed information for inclusion in the annual report submitted under the <i>Financial Management Act 2006</i> Part 5 by the accountable authority, as defined in section 3 of that Act, of the Department as defined in the <i>Building Services (Complaint Resolution and Administration) Act 2011</i> section 3.

	<ul style="list-style-type: none"> • A delegation of a special permit authority’s powers or duties may be only to: <ul style="list-style-type: none"> ○ An employee of the special permit authority (s127(2)); or ○ a person employed by the local government under s5.36 of the <i>Local Government Act 1995</i>. • Allow interested persons to inspect a building record.
Delegated To	Chief Executive Officer Director Development and Community Services Manager Development Services Coordinator Building Services Assistant Building Surveyor
Council Adoption	26/03/2008
Reviewed/Modified:	03/10, 02/11, 03/12, 03/13, 07/13, 03/14, 03/15, 03/16, 06/17, 03/19, 08/21, 03/22, 03/23, 06/24, 03/25
Relevant Management Practice:	N/A
Relevant Policy:	N/A
Relevant Delegation:	N/A

Delegation from Council DC374

APPOINT AUTHORISED OFFICERS FOR THE PURPOSES OF THE *BUILDING ACT 2011*

Strategic Direction	Environment (Built and Natural)
Responsible Business Unit/s	Development Services
Responsible Officer	Manager Development Services, Coordinator Building Services
Affected Business Unit/s	Development Services

Head of Power:	<i>Local Government Act 1995</i> <i>Building Act 2011</i>
Express Power to Delegate:	<i>Local Government Act 1995</i> Section 5.42 1(b) <i>Building Act 2011</i> – Section 127 (1) and (3)
Delegation No.:	DC374
Delegation Title:	Appoint Authorised Officers for the purposes of the Building Act 2011
Legislative Reference of Power:	<i>Building Act 2011</i> Section 96(3) and 99(3) Building Regulations 2012 – 70(1) and (2)
Power or Duty being Delegated:	The authority to grant, modify or refuse to grant occupancy permits or building approval certificates.
Conditions of Delegation:	<ol style="list-style-type: none"> 1. Each person designated as an authorised person must have an identity card. 2. Delegations exercised are to be recorded in the City's record management system.
Delegated To	Chief Executive Officer
Council Adoption	26/03/2008
Reviewed/Modified:	03/10, 02/11, 03/12, 03/13, 07/13, 03/14, 03/15, 03/16, 06/17, 03/19, 08/21, 03/22, 03/23, 06/24, 03/25
Relevant Management Practice:	N/A
Relevant Policy:	N/A
Relevant Delegation:	N/A

Delegation from Council DC375

ISSUE OR REVOKE BUILDING ORDERS

Strategic Direction	Environment (Built and Natural)
Responsible Business Unit/s	Development Services
Responsible Officer	Manager Development Services, Coordinator Building Services
Affected Business Unit/s	Development Services

Head of Power:	<i>Building Act 2011</i>
Express Power to Delegate:	Section 127(1)
Delegation No.:	DC375
Delegation Title:	Issue or Revoke Building Orders
Legislative Reference of Power:	Section 110 (1), 111(1), 117 (1), 117(2), 118(2),118(3) and 133(1).
Power or Duty being Delegated:	<p>The authority to issue or revoke building orders.</p> <p>Authority to give notice of a proposed building order and consider submissions received in response and determine actions.</p> <p>If there is non-compliance with a building order, authority to cause an authorised person to:</p> <ul 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. <p>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.</p> <p>Authority to specify a way in which an outward facing side of a particular close/boundary wall must be finished off.</p> <p>Authority to initiate a prosecution for non-compliance with a building order.</p>

Conditions of Delegation:	<p>Keep a register in the approved form of all building orders issued by the Local Authority.</p> <p>A delegation of a special permit authority's powers or duties may be only to:</p> <ul style="list-style-type: none"> ○ An employee of the special permit authority (s127(2)); or ○ a person employed by the local government under s5.36 of the <i>Local Government Act 1995</i>.
Delegated To	<p>Chief Executive Officer</p> <p>Director Development and Community Services</p> <p>Manager Development Services</p> <p>Coordinator Building Services</p>
Council Adoption	26/03/2008
Reviewed/Modified:	03/10, 02/11, 03/12, 03/13, 07/13, 03/14, 03/15, 03/16, 06/17, 03/19, 08/21, 03/22, 03/23, 06/24, 03/25
Relevant Management Practice:	N/A
Relevant Policy:	N/A
Relevant Delegation:	N/A

Delegation from Council DC376

INFRINGEMENT NOTICES UNDER THE BUILDING REGULATIONS 2012

Strategic Direction	Environment (Built and Natural)
Responsible Business Unit/s	Development Services
Responsible Officer	Director Development Services
Affected Business Unit/s	Development Services

Head of Power:	<i>Local Government Act 1995</i>
Express Power to Delegate:	Section 5.42
Delegation No.:	DC376
Delegation Title:	Infringement Notices under the Building Regulations 2012
Legislative Reference of Power:	<i>Local Government Act 1995</i> – Section 9.10, 9.16, 9.19 and 9.20 Building Regulations 2012 – Regulation 70 (1) and (2)
Power or Duty being Delegated:	The authority to appoint 'authorised officers' for the purposes of issuing <i>Building Act 2011</i> infringement notices in accordance with Regulation 70(2) of the Building Regulations 2012 and section 6 (b) of the <i>Criminal Procedures Act 2004</i> . The authority to extend the time to pay or withdraw infringement notices.
Conditions of Delegation:	Not Applicable
Delegated To	Chief Executive Officer Director Development and Community Services Manager Development Services
Council Adoption	15/10/2019
Reviewed/Modified:	08/21, 03/22, 03/23, 06/24, 03/25
Relevant Management Practice:	N/A
Relevant Policy:	N/A
Relevant Delegation:	N/A

Delegation from Council DC377

REFERRALS AND ISSUING CERTIFICATES

Strategic Direction	Environment (Built and Natural)
Responsible Business Unit/s	Chief Executive Officer, Development Services
Responsible Officer	Chief Executive Officer, Director Development and Community Services
Affected Business Unit/s	Development Services

Head of Power:	<i>Building Act 2011</i>
Express Power to Delegate:	Section 127(1) & (3)
Delegation No.:	DC377
Delegation Title:	Referrals and Issuing Certificates
Legislative Reference of Power:	Section 145A
Power or Duty being Delegated:	Authority to refer uncertified applications under s 17(1) to a building surveyor who is not employed by the local government.
Conditions of Delegation:	A delegation of a special permit authority's powers or duties may be only to: <ul style="list-style-type: none"> o An employee of the special permit authority (s127(2)); or o a person employed by the local government under s5.36 of the <i>Local Government Act 1995</i>.
Delegated To	Chief Executive Officer Director Development and Community Services Manager Development Services Coordinator Building Services Assistant Building Surveyor
Council Adoption	25/6/24
Reviewed/Modified:	03/25
Relevant Management Practice:	N/A

Relevant Policy:	N/A
Relevant Delegation:	N/A

Delegation from Council DC378

INSPECTION AND COPIES OF BUILDING RECORDS

Strategic Direction	Environment (Built and Natural)
Responsible Business Unit/s	Chief Executive Officer, Development Services
Responsible Officer	Chief Executive Officer, Director Development and Community Services
Affected Business Unit/s	Development Services

Head of Power:	<i>Building Act 2011</i>
Express Power to Delegate:	Section 127(1) & (3)
Delegation No.:	DC378
Delegation Title:	Inspection and Copies of Building Records
Legislative Reference of Power:	Section 131 (2)
Power or Duty being Delegated:	Authority to determine an application from an interested person to inspect and copy a building record.
Conditions of Delegation:	<p>A delegation of a special permit authority's powers or duties may be only to:</p> <ul style="list-style-type: none"> ○ An employee of the special permit authority (s127(2)); or ○ A person employed by the local government under s5.36 of the <i>Local Government Act 1995</i>.
Delegated To	Chief Executive Officer Director Development and Community Services Manager Development Services Coordinator Building Services Assistant Building Surveyor
Council Adoption	25/6/24
Reviewed/Modified:	03/25
Relevant Management Practice:	N/A
Relevant Policy:	N/A

Relevant Delegation:	N/A
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Delegation from Council DC379

PRIVATE POOL BARRIER – ALTERNATIVE AND PERFORMANCE SOLUTIONS

Strategic Direction	Environment (Built and Natural)
Responsible Business Unit/s	Chief Executive Officer, Development Services
Responsible Officer	Chief Executive Officer, Director Development and Community Services
Affected Business Unit/s	Development Services

Head of Power:	<i>Building Act 2011</i>
Express Power to Delegate:	Section 127(1) and (3)
Delegation No.:	DC379
Delegation Title:	Private Pool Barrier – Alternative and Performance Solutions
Legislative Reference of Power:	Building Regulations 2012 Regulation 50A(4), 51(2), 51(3) and 51(5)
Power or Duty being Delegated:	<p>Authority to approve requirements alternative to a fence, wall, gate or other component included in the barrier, if satisfied that the alternative requirements will restrict access by young children as effectively as if there were compliance with AS 1926.1.</p> <p>Authority to approve a door for the purposes of compliance with AS 1926.1, where a fence or barrier would cause significant structural or other problem which is beyond the control of the owner or 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.</p> <p>Authority to approve a performance solution to a Building Code pool barrier requirement if satisfied that the performance solution complies with the relevant performance requirement.</p> <p>Authority to use alternative requirements for a barrier to a pre-May 2016 private swimming pool.</p> <p>Authority to arrange for an authorised person to inspect.</p>

Conditions of Delegation:	<p>A delegation of a special permit authority's powers or duties may be only to:</p> <ul style="list-style-type: none"> ○ An employee of the special permit authority (s127(2)); or ○ a person employed by the local government under s5.36 of the <i>Local Government Act 1995</i>. <p>The proposed method of enclosure must not provide a lesser standard of protection than would otherwise have been provided through adherence to the provisions of Australian Standard 1926.1.</p>
Delegated To	<p>Coordinator Building Services Chief Executive Officer Director Development and Community Services Manager Development Services Assistant Building Surveyor Development Services Compliance Officer</p>
Council Adoption	25/6/24
Reviewed/Modified:	03/25
Relevant Management Practice:	N/A
Relevant Policy:	N/A
Relevant Delegation:	N/A

Delegation from Council DC401

GRAFFITI VANDALISM ACT – LOCAL GOVERNMENT FUNCTIONS

Strategic Direction	Leadership
Responsible Business Unit/s	Chief Executive Officer
Responsible Officer	Chief Executive Officer
Affected Business Unit/s	Waste, Fleet and Facilities

Head of Power:	<i>Graffiti Vandalism Act 2016</i>
Express Power to Delegate:	Section 16
Delegation No.:	DC401
Delegation Title:	Graffiti Vandalism Act – Local Government Functions
Legislative Reference of Power:	Section 16
Power or Duty being Delegated:	Perform any power or duty of the ‘local government’ under the <i>Graffiti Vandalism Act 2016</i> .
Conditions of Delegation:	Not Applicable
Delegated To	Chief Executive Officer
Council Adoption	26/03/2019
Reviewed/Modified:	08/21, 03/22, 03/23, 06/24, 03/25
Relevant Management Practice:	N/A
Relevant Policy:	N/A
Relevant Delegation:	N/A

Delegation from Council DC511

PARTIAL CLOSURE OF A THOROUGHFARE

Strategic Direction	Leadership
Responsible Business Unit/s	Engineering Services
Responsible Officer	Manager Engineering Services
Affected Business Unit/s	Infrastructure Services

Head of Power:	<i>Local Government Act 1995</i>
Express Power to Delegate:	Section 5.42
Delegation No.:	DC511
Delegation Title:	Partial Closure of a Thoroughfare
Legislative Reference of Power:	Section 3.50, 3.50A and 3.51
Power or Duty being Delegated:	The authority to allow for the partial and temporary closure of a thoroughfare.
Conditions of Delegation:	<ul style="list-style-type: none"> (a) The closure is unlikely to have a significant adverse impact on users of the thoroughfare; and (b) Written notice of the partial closure will be given to the occupier of any property who gains access to the property from that part of the thoroughfare which is to be closed.
Delegated To	Chief Executive Officer
Council Adoption	26/03/08
Reviewed/Modified:	03/10, 02/11, 03/13, 03/14, 03/15, 03/16, 11/16, 12/17, 03/19, 08/21, 03/22, 03/23, 06/24, 03/25
Relevant Management Practice:	N/A
Relevant Policy:	N/A
Relevant Delegation:	N/A

Delegation from Council DC602

AUTHORITY TO MAKE PAYMENTS FROM THE MUNICIPAL AND TRUST FUNDS

Strategic Direction	Leadership
Responsible Business Unit/s	Chief Executive Officer
Responsible Officer	Chief Executive Officer
Affected Business Unit/s	All Business Units

Head of Power:	<i>Local Government Act 1995</i>
Express Power to Delegate:	Section 5.42
Delegation No.:	DC602
Delegation Title:	Authority to Make Payments from the Municipal and Trust Funds
Legislative Reference of Power:	Section 6.7.(2), 6.9(2), (3)(a), (4), and 6.10(d) of the <i>Local Government Act 1995</i> Regulation 12 (1)(a) of the Local Government (Financial Management) Regulations 1996
Power or Duty being Delegated:	The authority to make payments on behalf of the City from the Municipal Fund and the Trust Fund.
Conditions of Delegation:	<p>Before a payment is made, the following procedure must be followed:</p> <ul style="list-style-type: none"> (a) Regulation 5(1)(e), 11, 12, 13 and 13A of the Local Government (Financial Management) Regulations 1996 must be complied with. (b) Monthly reporting to Council is to be in accordance with Regulation 13. (c) The CEO's authority to make payments is unlimited, subject to annual budget limitations. (d) This authority pertains to all payments for EFT and cheque transactions, including Creditors and Payroll, utility providers, Investments and transfers between trust and municipal funds. (e) This authority includes the lodgement of Employees' Superannuation payments.

	(f) Expenditure due for payment must be accompanied by sufficient documentation as to allow the signatories to confirm correct procedures have been followed.
Delegated To	Chief Executive Officer
Council Adoption	27/03/07
Reviewed/Modified:	09/08, 03/10, 02/11, 03/12, 03/13, 03/14, 03/15, 03/16, 03/17, 06/18, 03/19, 08/21, 03/22, 03/23, 06/24, 03/25
Relevant Management Practice:	N/A
Relevant Policy:	N/A
Relevant Delegation:	DM602 Authority to make payments from the Municipal and Trust Funds

Delegation from Council DC603

INVESTMENT OF SURPLUS FUNDS

Strategic Direction	Leadership
Responsible Business Unit/s	Chief Executive Officer
Responsible Officer	Chief Executive Officer
Affected Business Unit/s	Financial Services

Head of Power:	<i>Local Government Act 1995</i>
Express Power to Delegate:	Section 5.42
Delegation No.:	DC603
Delegation Title:	Investment of Surplus Funds
Legislative Reference of Power:	Section 6.10 and 6.14 (1) Regulation 19 of the Local Government (Financial Management) Regulations 1996)
Power or Duty being Delegated:	(a) The authority to invest money held in the Municipal Fund or the Trust Fund that is not for the time being required for any other purpose (S 6.14 (1)) (b) Authority to establish and document internal control procedures to be followed in the investment and management of investments (FM r.19)
Conditions of Delegation:	(a) the funds may be invested in any of the Australian Prudential Regulation Authority regulated and listed, Authorised Deposit-taking Institutions (ADIs) being corporations as authorised under the <i>Banking Act 1959</i> . ADIs include the following institutions: <ul style="list-style-type: none"> • Banks, • Building Societies, and • Credit Unions. (b) the funds may only be invested in those authorised financial instruments which are set out in Policy P603 - Investment of Surplus Funds.
Delegated To	Chief Executive Officer
Council Adoption	27/03/07

Reviewed/Modified:	08, 03/10, 02/11, 03/12, 03/13, 03/14, 03/15, 03/16, 06/18, 03/19, 08/21, 03/22, 03/23, 06/24, 03/25
Relevant Management Practice:	M603 Investment Procedures
Relevant Policy:	P603 Investment of Surplus Funds
Relevant Delegation:	N/A

Delegation from Council DC607

TENDERS /E-QUOTES/COMMON USE AGREEMENTS

Strategic Direction	Leadership
Responsible Business Unit/s	All business units
Responsible Officer	Chief Executive Officer
Affected Business Unit/s	All business units

Head of Power:	<i>Local Government Act 1995</i>
Express Power to Delegate:	Section 5.42
Delegation No.:	DC607
Delegation Title:	Tenders /E-Quotes/Common Use Agreements
Legislative Reference of Power:	Section 3.57 <i>Local Government Act 1995</i> and Local Government (Functions and General) Regulations 1996 r. 11, r.13, r.14, r.18, r.20, r.21A
Power or Duty being Delegated:	<ul style="list-style-type: none"> a) Authority to call tenders [F&G r.11(1)]. b) Authority to determine not to call a public tender as required under r11(1), if an exemption exists under r11(2). [F&G r.11(2)]. c) Authority to invite tenders although not required to do so [F&G r.13]. d) Authority to determine in writing, before tenders are called, the criteria for acceptance of tenders [F&G r.14(2a)]. e) Authority to determine the information that is to be disclosed to those interested in submitting a tender [F&G r.14(4)(a)]. f) Authority to vary tender information after public notice of invitation to tender and before the close of tenders, taking reasonable steps to ensure each person who has sought copies of the tender information is provided notice of the variation [F&G r.14(5)]. g) Authority to evaluate tenders, by written evaluation, and decide which is the most advantageous [F&G r.18(4)].

	<ul style="list-style-type: none"> h) Authority to accept tenders, only within the \$value detailed as a condition on this Delegation, or reject tenders as per the conditions on this Delegation and in accordance with the requirements of the Functions and General Regulations [F&G r.18(2) and (4)]. i) Authority to determine that a variation proposed is minor in context of the total goods or services sought through the invitation to tender and to then enter into minor variations with the successful tenderer before entering into a contract [F&G r.20(1) and (3)]. j) Authority to seek clarification from tenderers in relation to information contained in their tender submission [F&G r.18(4a)]. k) Authority to decline any tender [F&G r.18(5)]. l) If the chosen tenderer is unable or unwilling to form a contract OR the minor variation cannot be agreed with the successful tenderer, so that the tenderer ceases to be the chosen tenderer, authority to choose the next most advantageous tender to accept [F&G r.20(2)] m) Authority to accept another tender where within 6-months of either accepting a tender, a contract has not been entered into OR the successful tenderer agrees to terminate the contract [F&G r.18(6) & (7)].
<p>Conditions of Delegation:</p>	<p>The authority to accept:</p> <ul style="list-style-type: none"> a) All tenders to a maximum value of \$500,000 (exclusive of GST); and b) Undertake purchases of goods and services which are, or expected to be up to the value of up to \$700,000 (exclusive of GST) where the supply of products or services is procured through the Western Australian Local Government Association (WALGA), State or Commonwealth Governments or any of its agencies that provide preferred supplier contracts or arrangements. <p>Acceptance of tender is conditional upon the Chief Executive Officer being satisfied that -</p> <ul style="list-style-type: none"> a) The tender process has been conducted in accordance with the Act, Regulations, the City’s Policies and Management Practices; b) The specifications set out in the tender match the specifications of the Request for Tender; c) The tender represents the best overall value for the City; and

	<p>d) The tender is within budget.</p> <p>The delegate is authorised to not accept any tender received, having previously exercised the delegation to invite public tenders;</p> <p>a) If in the opinion of the delegate the number of tenders received is insufficient as to provide for a reasonable assessment of the merits of the tenders received.</p> <p>b) If the delegate decides that it would be disadvantageous to the Local Government to accept any tender.</p> <p>c) If on assessment of the tenders received the contract value would exceed the budget provision for the invited service.</p> <p>d) If in the opinion of the delegate no person is capable of satisfactorily supplying the requested goods or services</p> <p>The delegate must ensure that:</p> <p>a) The tender process has been carried out in accordance with the Act, the Regulations and the City’s Policies and Management Practices.</p> <p>b) The tenders register records that no Tender was accepted.</p>
Delegated To	Chief Executive Officer
Council Adoption	27/03/07
Reviewed/Modified:	09/08, 03/10, 02/11, 03/12, 03/13, 03/14, 03/15, 03/16, 03/17, 04/18, 03/19, 08/21, 03/22, 03/23, 06/24, 03/25
Relevant Management Practice:	M607 Tenders and Expressions of Interest
Relevant Policy:	P607 Tenders and Expressions of Interest
Relevant Delegation:	DM607 Acceptance of Tenders

Delegation from Council DC609

LEASES

Strategic Direction	Leadership
Responsible Business Unit/s	All business units
Responsible Officer	Chief Executive Officer
Affected Business Unit/s	All business units

Head of Power:	<i>Local Government Act 1995</i>
Express Power to Delegate:	Section 5.42
Delegation No.:	DC609
Delegation Title:	Leases
Legislative Reference of Power:	Section 3.58 (3)
Power or Duty being Delegated:	Authority is given to the CEO to enter into agreements to lease property that the City owns or that it controls under a management order which confers the power to lease.
Conditions of Delegation:	<p>The CEO may exercise this power in relation to a lease subject to:</p> <ul style="list-style-type: none"> a) Meeting the requirements of section 3.58 of the <i>Local Government Act 1995</i>; b) Meeting the requirements of the <i>Commercial Tenancy (Retail Shops) Agreements Act 1985</i> where applicable; c) Obtaining Minister for Lands consent pursuant to section 18 of the <i>Land Administration Act 1997</i>, should the property be subject to a management order where applicable; d) Leases being for a maximum term of five years with a five year option for: Not for Profit Sporting Organisations, Not for Profit Organisations, Community Associations, Government Bodies, Committees and Associations, and educational institutions; and e) Renewal of an existing commercial lease being for a maximum term of five years. <p>Note: All new commercial leases will be brought to Council for consideration.</p>
Delegated To	Chief Executive Officer

Council Adoption	03/05
Reviewed/Modified:	06/06, 09/08, 03/10, 02/11, 06/12, 03/13, 03/14, 03/15, 06/16, 03/17, 03/18, 03/19, 03/20, 08/21, 03/22, 03/23, 06/24, 03/25
Relevant Management Practice:	M609 Leases and Licences
Relevant Policy:	P609 Management and Sale of City Property
Relevant Delegation:	

Delegation from Council DC612

DISPOSAL OF SURPLUS PROPERTY

Strategic Direction	Leadership
Responsible Business Unit/s	Financial Services
Responsible Officer	Chief Executive Officer
Affected Business Unit/s	All Business Units

Head of Power:	<i>Local Government Act 1995</i>
Express Power to Delegate:	Section 5.42
Delegation No.:	DC612
Delegation Title:	Disposal of Surplus Property
Legislative Reference of Power:	Section 3.58 (2) & (3), Regulation 30 the <i>Local Government (Functions & General)</i>
Power or Duty being Delegated:	<ol style="list-style-type: none"> 1. Authority to dispose of property to: <ol style="list-style-type: none"> (a) to the highest bidder at public auction [s.3.58(2)(a)]. (b) to the person who at public tender called by the local government makes what is considered by the delegate to be, the most acceptable tender, whether or not it is the highest tenders [s.3.58(2)(b)] 2. Authority to dispose of property by private treaty only in accordance with section 3.58(3) and prior to the disposal, to consider any submissions received following the giving of public notice [s.3.58(3)].
Conditions of Delegation:	<ol style="list-style-type: none"> 1. Disposal of land or building assets is limited to matters specified in the Annual Budget and in any other case, a Council resolution is required. 2. For the purposes of the leases in accordance with Policy P609 and DC609. 3. Exempt Dispositions (as prescribed by Functions and General Regulation 30) are to be undertaken to ensure that the best value return is achieved. Where the property is determined as having a nil market value, then the disposal must ensure environmentally responsible disposal.

	4. For the purposes of s5.43(d) disposal of property identified in 1 and 2 above is limited to a maximum value of \$350,000.
Delegated To	Chief Executive Officer
Council Adoption	27/03/07
Reviewed/Modified:	09/08, 03/10, 02/11, 03/12, 03/13, 03/14, 03/15, 03/16, 03/17, 06/18, 03/19, 08/21, 03/22, 03/23, 06/24, 03/25
Relevant Management Practice:	N/A
Relevant Policy:	N/A
Relevant Delegation:	DM612 Disposal of Surplus Property

Delegation from Council DC617

GRANTING DISCOUNTS, CONCESSIONS, FEE WAIVER AND DEBT WRITE-OFF

Strategic Direction	Leadership
Responsible Business Unit/s	Chief Executive Officer
Responsible Officer	Chief Executive Officer
Affected Business Unit/s	All

Head of Power:	<i>Local Government Act 1995</i>
Express Power to Delegate:	Section 5.42
Delegation No.:	DC617
Delegation Title:	Grant Discounts, Concessions, Fee Waiver and Debt Write-Off
Legislative Reference of Power:	Section 6.12(1)(b)(c) Section 6.12 (3)
Power or Duty being Delegated:	<ol style="list-style-type: none"> 1. Grant concessions in relation to fees, levies or charges by the Council for the use of its facilities and services. 2. To write-off any single amount of money owing to the City less than \$2,000 (GST exclusive) subject to conditions as stipulated. 3. To write-off any amount of money previously specifically identified and provided for in the Provision for Doubtful Debts subject to conditions as stipulated.
Conditions of Delegation:	<p><u>Write-off any single amount of money owing to the City less than \$2,000 (GST exclusive) where:</u></p> <ol style="list-style-type: none"> a) The amount is too small to warrant collection; b) It is considered that the cost of collection is likely to be disproportionate to the amount which is owed: and c) The amount has not been previously identified and provided for in the Provision for Doubtful Debts. d) A record of any amounts written-off under this delegation is required to be kept and made available for external audit purposes.

	<p><u>Write-off any amount of money previously specifically identified and provided for in the Provision for Doubtful Debts where:</u></p> <p>a) The amount is found to be uncollectable; and</p> <p>b) Compliance with applicable Australian Accounting Standards or other professional pronouncements require the debt to be removed from the City's accounts.</p> <p>c) A record of any amounts written-off under this delegation is required to be kept and made available for external audit purposes.</p>
Delegated To	Chief Executive Officer
Council Adoption	25/06/24
Reviewed/Modified:	03/25
Relevant Management Practice:	N/A
Relevant Policy:	N/A
Relevant Delegation:	N/A

Delegation from Council DC618

COMMENCE A PROSECUTION FOR AN OFFENCE

Strategic Direction	Leadership
Responsible Business Unit/s	Chief Executive Officer
Responsible Officer	Chief Executive Officer
Affected Business Unit/s	All business units

Head of Power:	<i>Local Government Act 1995</i>
Express Power to Delegate:	Section 5.42
Delegation No.:	DC618
Delegation Title:	Commence a Prosecution for an Offence
Legislative Reference of Power:	Sections 9.24 (1) (c) and (2) (b)
Power or Duty being Delegated:	<ol style="list-style-type: none"> Authority to initiate prosecutions on behalf of the Local Government under the <i>Local Government Act 1995</i>, all Regulations made under the <i>Local Government Act 1995</i> and City of South Perth Local Laws made under the <i>Local Government Act 1995</i>. Authority to be registered on the eCourts Portal as persons authorised to commence prosecutions and lodge prosecution notices on behalf of the City.
Conditions of Delegation:	Nil.
Delegated To	Chief Executive Officer
Council Adoption	25/06/24
Reviewed/Modified:	03/25
Relevant Management Practice:	N/A
Relevant Policy:	N/A
Relevant Delegation:	N/A

Delegation from Council DC642

APPOINTMENT OF ACTING CEO

Strategic Direction	Leadership
Responsible Business Unit/s	Chief Executive Officer
Responsible Officer	Chief Executive Officer
Affected Business Unit/s	All business units

Head of Power:	<i>Local Government Act 1995</i>
Express Power to Delegate:	Section 5.42
Delegation No.:	DC642
Delegation Title:	Appointment of Acting CEO
Legislative Reference of Power:	S5.39(1a) (a)
Power or Duty being Delegated:	Authority to appoint a City Director as Acting CEO when the CEO is absent on annual leave.
Conditions of Delegation:	Nil.
Delegated To	Chief Executive Officer
Council Adoption	26/03/08
Reviewed/Modified:	03/10, 02/11, 03/12, 03/13, 03/14, 03/15, 03/16, 03/17, 03/18, 03/19, 08/21, 03/22, 03/23, 06/24, 03/25
Relevant Management Practice:	N/A
Relevant Policy:	N/A
Relevant Delegation:	N/A

Delegation from Council DC664

DOGS – LOCAL GOVERNMENT FUNCTIONS

Strategic Direction	Leadership
Responsible Business Unit/s	Chief Executive Officer
Responsible Officer	Chief Executive Officer
Affected Business Unit/s	Governance and Ranger Services

Head of Power:	<i>Dog Act 1976</i>
Express Power to Delegate:	Section 10AA
Delegation No.:	DC664
Delegation Title:	Dogs – Local Government Functions
Legislative Reference of Power:	Section 10AA
Power or Duty being Delegated:	The authority to form any power or duty of the 'local government' under the <i>Dog Act 1976</i> .
Conditions of Delegation:	Not applicable
Delegated To	Chief Executive Officer
Council Adoption	26/03/2019
Reviewed/Modified:	08/21, 03/22, 03/23, 06/24, 03/25
Relevant Management Practice:	N/A
Relevant Policy:	N/A
Relevant Delegation:	N/A

Delegation from Council DC665

CATS – LOCAL GOVERNMENT FUNCTIONS

Strategic Direction	Leadership
Responsible Business Unit/s	Chief Executive Officer
Responsible Officer	Chief Executive Officer
Affected Business Unit/s	Governance and Ranger Services

Head of Power:	<i>Cat Act 2011</i>
Express Power to Delegate:	Section 44
Delegation No.:	DC665
Delegation Title:	Cats – Local Government Functions
Legislative Reference of Power:	Section 44
Power or Duty being Delegated:	The authority to form any power or duty of the 'local government' under the <i>Cat Act 2011</i> .
Conditions of Delegation:	Not applicable
Delegated To	Chief Executive Officer
Council Adoption	26/03/2019
Reviewed/Modified:	08/21, 03/22, 03/23, 06/24, 03/25
Relevant Management Practice:	N/A
Relevant Policy:	N/A
Relevant Delegation:	N/A

Delegation from Council DC677

BUSH FIRES ACT 1954 – LOCAL GOVERNMENT FUNCTIONS

Strategic Direction	Leadership
Responsible Business Unit/s	Chief Executive Officer
Responsible Officer	Chief Executive Officer
Affected Business Unit/s	All business units

Head of Power:	<i>Bush Fires Act 1954</i>
Express Power to Delegate:	Section 48
Delegation No.:	DC677
Delegation Title:	<i>Bush Fires Act 1954 – Local Government Functions</i>
Legislative Reference of Power:	Section 38 (1)
Power or Duty being Delegated:	The authority to form any power or duty of the 'local government' under the <i>Bush Fires Act 1954</i> . The authority to appoint persons to be Bush Fire Control Officers for the purposes of the <i>Bush Fires Act 1954</i> .
Conditions of Delegation:	Not applicable
Delegated To	Chief Executive Officer
Council Adoption	26/03/2019
Reviewed/Modified:	08/21, 03/22, 03/23, 06/24, 03/25
Relevant Management Practice:	N/A
Relevant Policy:	N/A
Relevant Delegation:	N/A

Delegation from Council DC679

ADMINISTER THE CITY'S LOCAL LAWS

Strategic Direction	Leadership
Responsible Business Unit/s	Chief Executive Officer
Responsible Officer	Chief Executive Officer
Affected Business Unit/s	All business units

Head of Power:	<i>Local Government Act 1995</i>
Express Power to Delegate:	Section 5.42
Delegation No.:	DC679
Delegation Title:	Administer the City's Local Laws
Legislative Reference of Power:	Section 3.18 (1)
Power or Duty being Delegated:	The authority to administer the City's local laws and to do all other things that are necessary or convenient to be done for or in connection with performing the functions of the City.
Conditions of Delegation:	Not Applicable
Delegated To	Chief Executive Officer
Council Adoption	26/03/08
Reviewed/Modified:	03/10, 02/11, 03/12, 03/13, 03/14, 03/15, 03/16, 03/17, 03/18, 03/19, 08/21, 03/22, 03/23, 06/24, 03/25
Relevant Management Practice:	N/A
Relevant Policy:	N/A
Relevant Delegation:	N/A

Delegation from Council DC684

SEALED DOCUMENTS

Strategic Direction	Leadership
Responsible Business Unit/s	Chief Executive Officer
Responsible Officer	Chief Executive Officer
Affected Business Unit/s	All business units

Head of Power:	<i>Local Government Act 1995</i>
Express Power to Delegate:	Section 5.42
Delegation No.:	DC684
Delegation Title:	Sealed Documents
Legislative Reference of Power:	Sections 9.49A (2)
Power or Duty being Delegated:	Authorise the affixing of the Common Seal of the City to any document that needs the City's Common Seal to be legally effective.
Conditions of Delegation:	Not Applicable
Delegated To	Chief Executive Officer
Council Adoption	26/03/2019
Reviewed/Modified:	08/21, 03/22, 03/23, 06/24, 03/25
Relevant Management Practice:	N/A
Relevant Policy:	N/A
Relevant Delegation:	N/A

Delegation from Council DC685

INVITING EXPRESSIONS OF INTEREST

Strategic Direction	Leadership
Responsible Business Unit/s	Chief Executive Officer
Responsible Officer	Chief Executive Officer
Affected Business Unit/s	Chief Executive Officer

Head of Power:	<i>Local Government Act 1995</i>
Express Power to Delegate:	Section 5.42
Delegation No.:	DC685
Delegation Title:	Expressions of Interest
Legislative Reference of Power:	Section 3.57 Local Government (Functions and General) Regulations 1996 – Regulation 21, 22, 23 and 24
Power or Duty being Delegated:	<ol style="list-style-type: none"> 1. Authority to determine when to seek Expressions of Interest and to invite Expressions of Interest for the supply of goods or services [F&G r.21]. 2. Authority to consider Expressions of Interest which have not been rejected and determine those which are capable of satisfactorily providing the goods or services, for listing as acceptable tenderers [F&G r.23].
Conditions of Delegation:	<p>Compliance with Regulations 21, 22, 23 and 24.</p> <p>Compliance with City Policy P607.</p> <p>The tenders register records the required details regarding Expressions of Interest with reference to the Local Government (Functions and General) Regulations 1996, Regulation 17(2).</p>
Delegated To	Chief Executive Officer
Council Adoption	27/03/07
Reviewed/Modified:	09/08, 03/10, 02/11, 03/12, 03/13, 03/14, 03/15, 03/16, 03/17, 03/18, 06/18, 03/19, 08/21, 03/22, 03/23, 06/24, 03/25

Relevant Management Practice:	M607 Tenders and Expressions of Interest
Relevant Policy:	P607 Tenders and Expression of Interest
Relevant Delegation:	DM685 Inviting Tenders & Expressions of Interest

Delegation from Council DC690

LOCAL PLANNING SCHEME NO.7

Strategic Direction	Environment (Built and Natural)
Responsible Business Unit/s	Chief Executive Officer, Development Services
Responsible Officer	Chief Executive Officer, Director Development and Community Services
Affected Business Unit/s	Development Services

Head of Power:	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i>
Express Power to Delegate:	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Clause 82 Delegations by local government
Delegation No.:	DC690
Delegation Title:	Local Planning Scheme No. 7
Legislative Reference of Power:	Functions under the <ul style="list-style-type: none"> Local Planning Scheme No. 7 Schedule 2 (Deemed provisions for local planning schemes) of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> (The Deemed Provisions).
Power or Duty being Delegated:	<p>1. Development Applications</p> <p>The authority to undertake all functions and processes outlined in Schedule 2 Part 7, Part 8 and Part 9 of the Deemed Provisions, noting the conditions on this delegation below.</p> <p>2. Discretion to Modify Development Standards</p> <p>The authority to modify development standards in accordance with clause 34 of LPS 7 where it is considered by the delegate to be minor and inconsequential in nature, alternatively in the opinion of the delegate, where an application adversely impacts on the amenity of the locality, it must be referred to Council for determination.</p> <p>3. Structure Plans</p> <p>The authority to:</p> <p>(a) Make a determination under clause 17(1) of the Deemed Provisions</p>

	<ul style="list-style-type: none"> (i) as to whether a structure plan complies with the requirements of clause 16(1), or (ii) if further information is required before the structure plan and can be accepted for assessment and advertising. <ul style="list-style-type: none"> (b) Advertise a structure plan under clause 18(2) of the Deemed Provisions. (c) Provide advice and assistance to the Western Australian Planning Commission under clause 23 of the Deemed Provisions. (d) Approve a structure plan that provides for further details under clause 24(1A) of the Deemed Provisions, following approval from the Commission. Noting that the Commission can only approve a structure plan that is not a substantial departure as per Clause 24(2). (e) Determine that advertising of an amendment to a structure plan is not required, under clause 29(3) of the Deemed Provisions, where it is considered by the delegate to be minor and inconsequential in nature. <p>4. Local Development Plans</p> <p>The authority to:</p> <ul style="list-style-type: none"> (a) Make a determination not to advertise a Local Development Plan under clause 50(3) of the Deemed Provisions. (b) Make a determination to require modifications to a Local Development Plan under clause 52(1)(b) of the Deemed Provisions. (c) Make a determination to amend an approved Local Development Plan under clause 59(1) of the Deemed Provisions, where it is considered by the delegate to be minor and inconsequential in nature. (d) Make a determination to extend the period of approval of a Local Development Plan, <ul style="list-style-type: none"> (i) if there are no changes to the terms of the plan; or (ii) the conditions attached to the approval under clause 57(3) of the Deemed Provisions.
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	<p>5. Local Planning Policies</p> <p>The determination to make an amendment to a local planning policy without advertising the amendment if, in the opinion of the delegate, the amendment is minor and inconsequential in nature under clause 5(2) of the Deemed Provisions.</p> <p>6. Heritage</p> <p>The authority to:</p> <ul style="list-style-type: none"> (a) Make a determination under clause 11 of the Deemed Provisions to require a Heritage Assessment to be carried out prior to the approval of any development proposed in a heritage area or a place on a heritage list. (b) Make a determination under clause 12 of the Deemed Provisions to vary site or development requirements to <ul style="list-style-type: none"> (i) facilitate the built heritage conservation of a place entered in the State Register of Heritage Places under the Heritage Act 2018 or included on the heritage list; or (ii) enhance or preserve the heritage values in a heritage area <p>subject to undertaking public consultation if required by clause 12(3),</p>
<p>Conditions of Delegation:</p>	<p>1. Granting of Development Approval</p> <ul style="list-style-type: none"> (a) Land Use and Application Type <p>The granting of Development Approval does not extend to the following land uses and application types:</p> <ul style="list-style-type: none"> (i) Child Care Premises. (ii) Fast Food Outlet. (iii) Hotel. (iv) New Residential Aged Care Facilities. (v) Nightclub. (vi) Place of Worship. (vii) Residential Building. (viii) Tavern. (ix) Telecommunications Infrastructure that is not classified as a low-impact facility under the <i>Telecommunications Act 1997</i>.

	<ul style="list-style-type: none"> (x) Non-residential 'A' uses within the Residential zone, where objections are received during advertising. (xi) Use not listed. (xii) Change to a Non-Conforming Use. (xiii) Residential development comprising five (5) or more dwellings. (xiv) Applications which require an assessment of significant obstruction of views in accordance with Local Planning Policy 5.1 – Salter Point Escarpment or Local Planning Policy 7.2 – Significant Views. (xv) Applications which propose tree damaging activity to a regulated tree in accordance with 7.2(c) of Local Planning Policy 3.2 – Tree Retention (i.e. where the redesign of the development to accommodate the regulated tree is unfeasible). (xvi) Applications for Heritage Listed properties or within a Heritage Area except where, in the opinion of the delegated, the proposal is minor in nature and will not detract from the heritage significance of the place. (xvii) Applications on or involving City owned or managed land by a private entity which propose significant works or a change of land use. (xviii) Applications for illuminated and/ or digital content signage opposite (directly or diagonally) to or adjoining a residential zone. (xix) Applications previously considered by Council, unless, in the opinion of the delegate, the application is of a minor nature and in the opinion of the delegate, the proposal is consistent with the objectives and intent of Local Planning Scheme No.7 and any Local Planning Policy, as well as the principles of orderly and proper planning. (xx) Development where the requirements of the Local Planning Scheme, State Planning Policies and/or Local Planning
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	<p>Policies have not been complied with except where, in the opinion of the Delegate:</p> <ul style="list-style-type: none"> a. The proposal is consistent with the objectives of the Local Planning Scheme and relevant Policy; b. The proposal would not have a detrimental impact on the streetscape or any other property; or c. The variation is minor in nature; or d. The variation can be overcome by imposing a condition(s) on any development approval granted. <p>2. Advertising</p> <p>Where advertising of an application is required, the granting of Development Approval may only occur where:</p> <ul style="list-style-type: none"> (i) Consent, no objection or no response is received from those consulted; or (ii) Any objection received can be overcome by imposing a condition(s) on any Development Approval granted, or by modifying the design of the development; or (iii) The objection does not relate to valid planning and development considerations associated with the proposal.
Delegated To	Chief Executive Officer
Express Power to Sub-Delegate:	<i>Planning & Development (Local Planning Schemes) Regulations 2015:</i> cl. 83 Local government CEO may delegate powers

Sub-Delegate(s):	Director Development and Community Services Manager Development Services Coordinator Urban Planning Senior Planner
CEO Conditions on Sub-Delegation:	Sub-delegates may make the following determinations under this Delegation:

	<p>Director Development and Community Services</p> <ol style="list-style-type: none"> 1. Development Applications 2. Discretion to Modify Development Standards 3. Structure Plans 4. Local Development Plans 5. Local Planning Policies 6. Heritage <p>Manager Development Services</p> <ol style="list-style-type: none"> 1. Development Applications 2. Discretion to Modify Development Standards <p>Coordinator Urban Planning</p> <ol style="list-style-type: none"> 1. Development Applications 2. Discretion to Modify Development Standards <p>Senior Planner</p> <ol style="list-style-type: none"> 1. Development Applications
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Council Adoption	26/03/24
Reviewed/Modified:	06/24, 03/25, 03/26
Relevant Management Practice:	N/A
Relevant Policy:	N/A
Relevant Delegation:	N/A

Delegation from Council DC692

ENFORCEMENT AND LEGAL PROCEEDINGS – ILLEGAL DEVELOPMENT

Strategic Direction	Environment (Built and Natural)
Responsible Business Unit/s	Chief Executive Officer, Development Services
Responsible Officer	Chief Executive Officer, Director Development and Community Services
Affected Business Unit/s	Development Services

Head of Power:	<i>Local Government Act 1995</i>
Express Power to Delegate:	Section 5.42(1)(b)
Delegation No.:	DC692
Delegation Title:	Enforcement and Legal Proceedings – Illegal Development
Legislative Reference of Power:	<i>Planning and Development Act 2005</i> Section 214(2), (3) and (5)
Power or Duty being Delegated:	To issue a direction to a person contravening section 214 of the <i>Planning and Development Act 2005</i> .
Conditions of Delegation:	<ol style="list-style-type: none"> (1) Give a written direction to the owner or any other person undertaking an unauthorised development to stop, and not recommence, the development or that part of the development that is undertaken in contravention of the planning scheme, interim development order or planning control area requirements. (2) Give a written direction to the owner or any other person who undertook an unauthorised development: <ol style="list-style-type: none"> a) to remove, pull down, take up or alter the development; and b) to restore the land as nearly as practicable to its condition immediately before the development started, to the satisfaction of the responsible authority. (3) Give a written direction to the person whose duty it is to execute work to execute that work where it appears that delay in the execution of the work to be executed under a planning scheme or interim development order would prejudice the effective operation of the planning scheme or interim development order.

Delegated To	Officers occupying the following positions as determined by the delegation from Chief Executive Officer to Officers. <ul style="list-style-type: none"> • Director Development and Community Service • Manager Development Services
Council Adoption	26/03/24
Reviewed/Modified:	06/24
Relevant Management Practice:	N/A
Relevant Policy:	N/A
Relevant Delegation:	N/A

Delegation from Council DC703

MINOR AMENDMENTS TO DELEGATIONS REGISTER AND POLICIES

Strategic Direction	Leadership
Responsible Business Unit/s	Chief Executive Officer
Responsible Officer	Chief Executive Officer
Affected Business Unit/s	Governance

Head of Power:	<i>Local Government Act 1995</i>
Express Power to Delegate:	Section 5.42
Delegation No.:	DC703
Delegation Title:	Minor Amendments to Delegations Register and Policies
Legislative Reference of Power:	Section 5.42
Power or Duty being Delegated:	The delegate is authorised to make amendments to format, spelling, grammar, titling, responsible/affected business units/officers and minor errors within the text of Delegations and Policies that have already been endorsed by Council.
Conditions of Delegation:	Such changes must not alter the intent of the documents
Delegated To	Chief Executive Officer
Council Adoption	13/12/2022
Reviewed/Modified:	03/23, 06/24, 03/25
Relevant Management Practice:	N/A
Relevant Policy:	N/A
Relevant Delegation:	N/A

Delegation from Council DC704

FOOD ACT 2008 - DETERMINE COMPENSATION

Strategic Direction	Environment (Built and Natural)
Responsible Business Unit/s	Chief Executive Officer, Development Services
Responsible Officer	Chief Executive Officer, Director Development and Community Services
Affected Business Unit/s	Development Services

Head of Power:	<i>Food Act 2008</i>
Express Power to Delegate:	Section 118 (2)(b), (3), (4)
Delegation No.:	DC704
Delegation Title:	<i>Food Act 2008 - Determine Compensation</i>
Legislative Reference of Power:	<i>Food Act 2008 - Sections 56 (2), and 70(2) and (3)</i>
Power or Duty being Delegated:	<ol style="list-style-type: none"> 1. The authority to determine applications for compensation in relation to any item seized, if no contravention has been committed and the item cannot be returned [s. 56(2)]. 2. The authority to determine an application for compensation from a person on whom a prohibition notice has been served and who has suffered loss as the result of the making of the order and who considers that there were insufficient grounds for making the order [s. 70(2) and (3)].
Conditions of Delegation:	<ol style="list-style-type: none"> a. In accordance with s. 118(3)(b), this delegation is subject to relevant Department of Health Chief Executive Officer Guidelines, as amended from time to time. b. Compensation under this delegation may only be determined upon documented losses up to a maximum of \$5,000. Compensation requests above this value are to be reported to Council.

Delegated To	Chief Executive Officer Director Development and Community Services Manager Development Services <i>Note: Food Regulations 2009 do not provide for sub delegation.</i>
Council Adoption	25/03/2025
Reviewed/Modified:	
Relevant Management Practice:	N/A
Relevant Policy:	N/A
Relevant Delegation:	N/A

Delegation from Council DC705

FOOD ACT 2008 - DEBT RECOVERY AND PROSECUTIONS

Strategic Direction	Environment (Built and Natural)
Responsible Business Unit/s	Chief Executive Officer, Development Services
Responsible Officer	Chief Executive Officer, Director Development and Community Services
Affected Business Unit/s	Development Services

Head of Power:	<i>Food Act 2008</i>
Express Power to Delegate:	Section 118, 118(2)(b), 118(3),118(4)
Delegation No.:	DC705
Delegation Title:	<i>Food Act 2008 - Debt Recovery and Prosecutions</i>
Legislative Reference of Power:	<i>Food Act 2008</i> Sections 54, 125
Power or Duty being Delegated:	<ol style="list-style-type: none"> The authority to recover costs incurred in connection with the lawful destruction or disposal of an item (seized) including any storage costs [s.54(1)] and the costs of any subsequent proceedings in a court of competent jurisdiction [s.54(3)]. The authority to institute proceedings for an offence under the <i>Food Act 2008</i> [s 125].
Conditions of Delegation:	<p>Exercise of the power under s.54 is confined to the Chief Executive Officer, Director Development and Community Services, and Manager Development Services.</p> <p>In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health Chief Executive Officer Guidelines, as amended from time to time.</p>
Delegated To	<p>Chief Executive Officer</p> <p>Director Development and Community Services</p> <p>Manager Development Services</p> <p><i>Note: Food Regulations 2009 do not provide for sub delegation.</i></p>
Council Adoption	25/03/2025
Reviewed/Modified:	

Relevant Management Practice:	N/A
Relevant Policy:	N/A
Relevant Delegation:	N/A

Delegation from Council DC706

FOOD BUSINESS REGISTRATIONS

Strategic Direction	Environment (Built and Natural)
Responsible Business Unit/s	Chief Executive Officer, Development Services
Responsible Officer	Chief Executive Officer, Director Development and Community Services
Affected Business Unit/s	Development Services

Head of Power:	<i>Food Act 2008</i>
Express Power to Delegate:	Section 118, 118(2)(b), 118(3), 118(4)
Delegation No.:	DC706
Delegation Title:	Food Business Registration
Legislative Reference of Power:	<i>Food Act 2008</i> Sections 110(1), 110(5), 112
Power or Duty being Delegated:	<p>a. The authority to consider applications and determine registration of a food business and grant the application with or without conditions or refuse the registration [s. 110(1) and s. 110(5)].</p> <p>b. The authority to vary the conditions or cancel the registration of a food business [s. 112].</p>
Conditions of Delegation:	In accordance with s. 118(3)(b), this delegation is subject to relevant Department of Health Chief Executive Officer Guidelines, as amended from time to time.
Delegated To	<p>Chief Executive Officer</p> <p>Director Development and Community Services</p> <p>Manager Development Services</p> <p>Coordinator Environmental Health</p> <p><i>Note: Food Regulations 2009 do not provide for sub delegation.</i></p>
Council Adoption	25/03/25
Reviewed/Modified:	
Relevant Management Practice:	N/A

Relevant Policy:	N/A
Relevant Delegation:	N/A

Delegation from Council DC707

FOOD BUSINESSES LIST – PUBLIC ACCESS

Strategic Direction	Environment (Built and Natural)
Responsible Business Unit/s	Chief Executive Officer, Development Services
Responsible Officer	Chief Executive Officer, Director Development and Community Services
Affected Business Unit/s	Development Services

Head of Power:	<i>Food Act 2008</i>
Express Power to Delegate:	Section 118, 118(2)(b), 118(3),118(4)
Delegation No.:	DC707
Delegation Title:	Food Businesses List – Public Access
Legislative Reference of Power:	<i>Food Regulations 2009 - Regulation 51</i>
Power or Duty being Delegated:	The authority to decide to make a list of food businesses maintained under s. 115(a) or s. 115(b) publicly available [reg 51].
Conditions of Delegation:	In accordance with s. 118(3)(b), this delegation is subject to relevant Department of Health Chief Executive Officer Guidelines, as amended from time to time
Delegated To	Chief Executive Officer Director Development and Community Services Manager Development Services <i>Note: Food Regulations 2009 do not provide for sub delegation.</i>
Council Adoption	25/03/25
Reviewed/Modified:	
Relevant Management Practice:	N/A
Relevant Policy:	N/A
Relevant Delegation:	N/A

Delegation from Council DC708

FOOD ACT 2008 - PROHIBITION ORDERS AND CERTIFICATES OF CLEARANCE

Strategic Direction	Environment (Built and Natural)
Responsible Business Unit/s	Chief Executive Officer, Development Services
Responsible Officer	Chief Executive Officer, Director Development and Community Services
Affected Business Unit/s	Development Services

Head of Power:	<i>Food Act 2008</i>
Express Power to Delegate:	Section 118, (2)(b), (3), (4)
Delegation No.:	DC708
Delegation Title:	<i>Food Act 2008 - Prohibition Orders and Certificates of Clearance</i>
Legislative Reference of Power:	<i>Food Act 2008 - Sections 65(1), 66, 67(4).</i>
Power or Duty being Delegated:	<ol style="list-style-type: none"> 1. The authority to serve a prohibition order on the proprietor of a food business in accordance with s.65 of the <i>Food Act 2008</i> [s. 65(1)]. 2. The authority to give a certificate of clearance, where inspection demonstrates compliance with a prohibition order and any relevant improvement notices [s. 66]. 3. The authority to give written notice to the proprietor of a food business on whom a prohibition order has been served of the decision not to give a certificate of clearance after an inspection [s. 67(4)].
Conditions of Delegation:	In accordance with s 118(3)(b) this delegation is subject to relevant Department of Health Chief Executive Officer Guidelines, as amended from time to time.
Delegated To	<p>Chief Executive Officer Director Development and Community Services Manager Development Services</p> <p><i>Note: Food Regulations 2009 do not provide for sub delegation.</i></p>
Council Adoption	25/03/25

Reviewed/Modified:	
Relevant Management Practice:	N/A
Relevant Policy:	N/A
Relevant Delegation:	N/A

Delegation from Council DC709

AUTHORISED PERSONS TO PERFORM SPECIFIED FUNCTIONS UNDER THE LOCAL GOVERNMENT ACT 1995 AND LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960

Strategic Direction	Leadership
Responsible Business Unit/s	Chief Executive Officer
Responsible Officer	Chief Executive Officer
Affected Business Unit/s	All business units

Head of Power:	<i>Local Government Act 1995</i>
Express Power to Delegate:	Section 5.42
Delegation No.:	DC709
Delegation Title:	Authorised Persons to Perform Specified Functions Under <i>the Local Government Act 1995 and Local Government (Miscellaneous Provisions) Act 1960</i>
Legislative Reference of Power:	<i>Local Government Act 1995 - Sections 3.24, 3.31(2), 3.39(1), 3.40A.</i> <i>Local Government (Miscellaneous Provisions) Act 1960 – Section 449.</i>
Power or Duty being Delegated:	<ol style="list-style-type: none"> 1. Authority to authorise persons for the purposes of <i>Part 3, Division 3, Subdivision 2 – Certain provisions about land</i> - to exercise the Local Government's powers under s.3.25 to 3.27 inclusive, to issue and administer notices requiring certain things to be one by owner or occupier of land [s.3.24]. 2. Authority to authorise persons to enter onto land, premises or thing, without consent of the owner / occupier, unless the owner / occupier objects [s.3.31(2)]. 3. Authority to authorise an employee to remove and impound any goods that are involved in a contravention that can lead to impounding [s.3.39(1)]. 4. Authority to authorise an employee to remove and impound a vehicle that has been determined as an abandoned vehicle wreck [s.3.40A(1)]. 5. Authority to appoint fit and proper persons as poundkeepers or rangers [Misc.Prov.s.449].

Conditions of Delegation:	Not Applicable
Delegated To	Chief Executive Officer
Council Adoption	25/03/25
Reviewed/Modified:	
Relevant Management Practice:	N/A
Relevant Policy:	N/A
Relevant Delegation:	N/A

Delegation from Council DC710

APPOINT AUTHORISED OFFICERS AND DESIGNATED OFFICERS - *FOOD ACT 2008*

Strategic Direction	Environment (Built and Natural)
Responsible Business Unit/s	Chief Executive Officer, Development Services
Responsible Officer	Chief Executive Officer, Director Development and Community Services
Affected Business Unit/s	Development Services

Head of Power:	<i>Food Act 2008</i>
Express Power to Delegate:	Section 118 (2)(b), (3), (4)
Delegation No.:	DC710
Delegation Title:	Appoint Authorised Officers and Designated Officers - <i>Food Act 2008</i>
Legislative Reference of Power:	<i>Food Act 2008</i> - Sections 122(1), 126 (6), (7) and (13).
Power or Duty being Delegated:	<ol style="list-style-type: none"> 1. The authority to appoint a person to be an 'authorised officer' for the purposes of the <i>Food Act 2008</i> [s.122(2)]. 2. The authority to appoint an 'authorised officer' appointed under s 122(2) of this Act or s 24(1) of the <i>Public Health Act 2016</i>, to be a Designated Officer for the purposes of issuing Infringement Notices under the <i>Food Act 2008</i> [s. 126(13)] 3. The authority to appoint an 'authorised officer' to be a Designated Officer (who is prohibited by s.126(13) from also being a Designated Officer for the purpose of issuing infringements), for the purpose of extending the time for payment of modified penalties [s. 126(6)] and determining withdrawal of an infringement notice [s. 126(7)]. <p><i>Note: Food Regulations 2009 do not provide for sub delegation.</i></p>

Conditions of Delegation:	<p>1. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time, including but not limited to:</p> <ul style="list-style-type: none"> i. Appointment of Authorised Officers as Meat Inspectors ii. Appointment of Authorised Officers iii. Appointment of Authorised Officers – Designated Officers only iv. Appointment of Authorised Officers – Appointment of persons to assist with the discharge of duties of an Authorised Officer
Delegated To	Chief Executive Officer
Council Adoption	25/03/25
Reviewed/Modified:	
Relevant Management Practice:	N/A
Relevant Policy:	N/A
Relevant Delegation:	N/A

Delegation from Council DC711

APPOINT AUTHORISED OFFICERS AND DESIGNATED OFFICERS – FOOD ACT 2008 - LIST OF OFFICERS ISSUING INFRINGEMENTS

Strategic Direction	Environment (Built and Natural)
Responsible Business Unit/s	Chief Executive Officer, Development Services
Responsible Officer	Chief Executive Officer, Director Development and Community Services
Affected Business Unit/s	Development Services

Head of Power:	<i>Food Act 2008</i>
Express Power to Delegate:	Section 126 (2)
Delegation No.:	DC711
Delegation Title:	Appoint Authorised Officers And Designated Officers – <i>Food Act 2008</i> - list of officers issuing infringements
Legislative Reference of Power:	<i>Food Act 2008</i> Section 126(2).
Power or Duty being Delegated:	1. The authority to appoint a person to be an ‘authorised officer’ for the purposes of the <i>Food Act 2008</i> [s.126(2)] Issuing infringement notices.
Conditions of Delegation:	The <i>Food Act</i> requires a separation between officers who may be authorised to issue infringements from those who can withdraw an infringement or extend the period within which a modified penalty may be paid.
Delegated To	Manager Development Services Environmental Health Coordinator Senior Environmental Health Officer Environmental Health Officer
Council Adoption	25/03/25
Reviewed/Modified:	
Relevant Management Practice:	N/A
Relevant Policy:	N/A
Relevant Delegation:	N/A

Delegation from Council DC712

APPOINT AUTHORISED OFFICERS AND DESIGNATED OFFICERS - *FOOD ACT 2008* – LIST OF OFFICERS (ADMINISTRATION OF INFRINGEMENT NOTICES)

Strategic Direction	Environment (Built and Natural)
Responsible Business Unit/s	Chief Executive Officer, Development Services
Responsible Officer	Chief Executive Officer, Director Development and Community Services
Affected Business Unit/s	Development Services

Head of Power:	<i>Food Act 2008</i>
Express Power to Delegate:	Section 126 (6) and (7)
Delegation No.:	DC712
Delegation Title:	Appoint Authorised Officers And Designated Officers - <i>Food Act 2008</i> – List Of Officers (Administration Of Infringement Notices)
Legislative Reference of Power:	<i>Food Act 2008</i> - Sections 126(6) and (7).
Power or Duty being Delegated:	1. The authority to extend the time for payment of modified penalties and determine withdrawal of an infringement notice.
Conditions of Delegation:	<p>a. Prohibited by Section 126 (13) from also being a Designated Officer for the purpose of issuing infringements.</p> <p>b. The <i>Food Act</i> requires a separation between officers who may be authorised to issue infringements from those who can withdraw an infringement or extend the period within which a modified penalty may be paid.</p>
Delegated To	Director Development Services
Council Adoption	25/03/25
Reviewed/Modified:	
Relevant Management Practice:	N/A
Relevant Policy:	N/A

Relevant Delegation:	N/A
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