

DELEGATED AUTHORITY REGISTER

**COUNCIL TO CEO
AND
EMPLOYEES**

2026

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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 30 June 2026 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.
Express Power or Duty 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>
Delegator:	Council
Express Power to Delegate:	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	<i>Building Act 2011:</i> s.18 Further Information s.20 Grant of building permit s.22 Further grounds for not granting an application s.27(1) and (3) Impose Conditions on Permit <i>Building Regulations 2012:</i> r.23 Application to extend time during which permit has effect (s.32) r.24 Extension of time during which permit has effect (s.32(3)) r.26 Approval of new responsible person (s.35(c))
Power or Duty being Delegated:	1. Authority to require an applicant to provide any documentation or information required to determine a building permit application [s.18(1)]. 2. Authority to grant or refuse to grant a building permit [s.20(1) & (2) and s.22]. 3. Authority to impose, vary or revoke conditions on a building permit [s.27(1) and (3)]. 4. Authority to determine an application to extend time during which a building permit has effect [r.23]. i. Subject to being satisfied that work for which the building permit was granted has not been completed or the extension is necessary to allow rectification of defects of works for which the permit was granted [r.24(1)] ii. Authority to impose any condition on the building permit extension that could have been imposed under s.27 [r.24(2)]. 5. Authority to approve, or refuse to approve, an application for a new responsible person for a building permit [r.26].

Conditions of Delegation:	Nil.
Delegated To:	Chief Executive Officer
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

Council Adoption	27/11/2012
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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>
Delegator:	Council
Express Power to Delegate:	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	<i>Building Act 2011:</i> s.18 Further Information s.21 Grant of demolition permit s.22 Further grounds for not granting an application s.27(1) and (3) Impose Conditions on Permit <i>Building Regulations 2012:</i> r.23 Application to extend time during which permit has effect (s.32) r.24 Extension of time during which permit has effect (s.32(3)) r.26 Approval of new responsible person (s.35(c))
Power or Duty being Delegated:	1. Authority to require an applicant to provide any documentation or information required to determine a demolition permit application [s.18(1)]. 2. Authority to grant or refuse to grant a demolition permit on the basis that all s.21(1) requirements have been satisfied [s.20(1) & (2) and s.22]. 3. Authority to impose, vary or revoke conditions on a demolition permit [s.27(1) and(3)]. 4. Authority to determine an application to extend time during which a demolition permit has effect [r.23]. i. Subject to being satisfied that work for which the demolition permit was granted has not been completed or the extension is necessary to allow rectification of defects of works for which the permit was granted [r.24(1)]

	ii. Authority to impose any condition on the demolition permit extension that could have been imposed under s.27 [r.24(2)]. 5. Authority to approve, or refuse to approve, an application for a new responsible person for a demolition permit [r.26].
Conditions of Delegation:	• 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 <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. • Allow interested persons to inspect a building record. • A delegation of a special permit authority's powers or duties may be only to: ○ 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
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

Council Adoption	27/11/2012
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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>
Delegator:	Council
Express Power to Delegate:	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and 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)
Power or Duty being Delegated:	- Authority to require an applicant to provide any documentation or information required in order to determine an application [s.55]. - Authority to grant, refuse to grant or to modify an occupancy permit or building approval certificate [s.58]. - Authority to impose, add, vary or revoke conditions on an occupancy permit [s.62(1) and (3)].
Conditions of Delegation:	- 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. • A delegation of a special permit authority's powers or duties may be only to: ○ 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
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

Council Adoption	27/11/2012
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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>
Delegator:	Council
Express Power to Delegate:	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Legislative Reference of Power:	<i>Building Act 2011:</i> 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)
Power or Duty being Delegated:	Authority to extend, or refuse to extend, the period in which an occupancy permit or modification or building approval certificate has effect [s.65(4) and r.40].
Conditions of Delegation:	- 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</i>

	<i>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: ○ 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
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

Council Adoption	26/03/2008
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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>Building Act 2011</i>
Delegator:	Council
Express Power to Delegate:	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	<i>Building Act 2011:</i> s.96(3) authorised persons s.99(3) Limitation on powers of authorised persons <i>Building Regulations 2012:</i> r.70 Approved officers and authorised officers
Power or Duty being Delegated:	1. Authority to designate an employee as an authorised person [s. 96(3)]. 2. Authority to revoke or vary a condition of designation as an authorised person or give written notice to an authorised person limiting powers that may be exercised by that person [s. 99(3)]. 3. Authority to appoint an approved officer for the purposes of s.6(a) of the <i>Criminal Procedure Act 2004</i>, in accordance with Building Regulation 70(1) and (1A). 4. Authority to appoint an authorised officer for the purposes of s.6(b) of the <i>Criminal Procedure Act 2004</i>, in accordance with Building Regulation 70(2).
Conditions of Delegation:	1. Each person designated as an authorised person must be given an identity card in accordance with s. 97 of the <i>Building Act 2011</i> and r. 4B of the <i>Building Regulations 2012</i>.
Delegated To:	Chief Executive Officer

Express Power to Sub-Delegate:	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
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Council Adoption	26/03/2008
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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>
Delegator:	Council
Express Power to Delegate:	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and 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
Power or Duty being Delegated:	1. The authority to make Building Orders in relation to: a. Building work b. Demolition work c. An existing building or incidental structure [s. 110(1)]. 2. Authority to give notice of a proposed building order and consider submissions received in response and determine actions [s. 111(1)(c)]. 3. Authority to revoke a building order [s. 117]. 4. If there is non-compliance with a building order, authority to cause an authorised person to: a. take any action specified in the order; or b. commence or complete any work specified in the order; or

	c. if any specified action was required by the order to cease, to take such steps as are reasonable to cause the action to cease [s. 118(2)]. 5. Authority to take court action to recover as a debt, reasonable costs and expense incurred in doing anything in regard to non-compliance with a building order [s. 118(3)].
Conditions of Delegation:	Keep a register in the approved form of all building orders issued by the Local Authority. A delegation of a special permit authority's powers or duties may be only to: ○ 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
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

Council Adoption	26/03/2008
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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>
Delegator	Council
Express Power to Delegate:	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	<i>Building Act 2011:</i> s.145A Local government functions
Power or Duty being Delegated:	1. Authority to refer uncertified applications under s. 17(1) to a building surveyor who is not employed by the local government [s.145A(1)]. 2. Authority to issue a certificate for Design Compliance, Construction Compliance or Building Compliance whether or not the land subject of the location is located within the City's District [s.145A(2)].
Conditions of Delegation:	A delegation of a special permit authority's powers or duties may be only to: - 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
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

Council Adoption	25/6/24
Reviewed/Modified:	03/25, 06/26
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>
Delegator:	Council
Express Power to Delegate:	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	<i>Building Act 2011:</i> s.131(2) Inspection, copies of building records
Power or Duty being Delegated:	Authority to determine an application from an interested person to inspect and copy a building record [s.131(2)].
Conditions of Delegation:	A delegation of a special permit authority's powers or duties may be only to: ○ 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
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

Council Adoption	25/6/24
Reviewed/Modified:	03/25, 06/26
Relevant Management Practice:	N/A

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

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>
Delegator	Council
Express Power to Delegate:	Section 127(1) and (3)
Delegation No.:	DC379
Delegation Title:	Private Pool Barrier – Alternative and Performance Solutions
Express Power or Duty Delegated:	<i>Building Regulations 2012</i> Regulation 51
Power or Duty being Delegated:	1. Authority to approve requirements alternative to a fence, wall, gate or other component included in the barrier, if satisfied that the alternative requirements will restrict access by young children as effectively as if there were compliance with AS 1926.1 [r. 51(2)]. 2. Authority to approve a door for the purposes of compliance with AS 1926.1, where a fence or barrier would cause significant structural or other problem which is beyond the control of the owner 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 [r.5(3)]. 3. Authority to approve a performance solution to a Building Code pool barrier requirement if satisfied that the performance solution complies with the relevant performance requirement [r. 51(5)].
Conditions of Delegation:	A delegation of a special permit authority's powers or duties may be only to: ○ 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>. 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.
Delegated To:	Chief Executive Officer
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

Council Adoption	25/6/24
Reviewed/Modified:	03/25, 06/26
Relevant Management Practice:	N/A
Relevant Policy:	N/A
Relevant Delegation:	N/A

Delegation from Council DC380

SMOKE ALARMS – ALTERNATIVE SOLUTIONS

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

Head of Power:	<i>Building Act 2011</i>
Delegator:	Council
Express Power to Delegate:	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	<i>Building Regulations 2015:</i> r.55 Terms Used (alternative building solution approval) r.61 Local Government approval of battery powered smoke alarms
Power or Duty being Delegated:	- Authority to approve alternative building solutions which meet the performance requirement of the Building Code relating to fire detection and early warning [r.55]. - Authority to approve or refuse to approve a battery powered smoke alarm and to determine the form of an application for such approval [r.61].
Conditions of Delegation:	Nil
Delegated To:	Chief Executive Officer
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

Council Adoption	30/06/2026
Reviewed/Modified:	N/A

Relevant Management Practice:	Nil
Relevant Policy:	Nil
Relevant Delegation:	Nil

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>
Delegator:	Council
Express Power to Delegate:	<i>Graffiti Vandalism Act 2016:</i> s.16 Delegation by local government
Express Power or Duty Delegated:	Section 28 and 29 <i>Graffiti Vandalism Act 2016:</i> s.18(2) Notice requiring removal of graffiti s.19(3) & (4) Additional powers when notice is given s.22(3) Objection may be lodged s.24(1)(b) & (3) Suspension of effect of notice s.25(1) Local government graffiti powers on land not local government property s.28 Notice of entry s.29 Entry under warrant
Power or Duty being Delegated:	1. Authority to give written notice to a person who is an owner or occupier of property on which graffiti is applied, requiring the person to ensure that the graffiti is obliterated in an acceptable manner, within the time set out in the notice [s.18(2)]. 2. Authority, where a person fails to comply with a notice, to do anything considered necessary to obliterate the graffiti in an acceptable manner [s.19(3)] and to take action to recover costs incurred as a debt due from the person who failed to comply with the notice [s.19(4)]. 3. Authority to deal with an objection to a notice [s.22(3)]. 4. Authority, where an objection has been lodged, to:

	a. determine and take action to give effect to the notice, where it is determined that there are urgent reasons or an endangerment to public safety or likely damage to property or serious nuisance, if action is not taken [s.24(1)(b)]; and b. to give notice to the affected person, before taking the necessary actions [s.24(3)]. 5. Authority to determine to obliterate graffiti applied without consent of the owner or occupier, even though the land on which it is done is not local government property and the local government does not have consent [s.25(1)]. 6. Authority to give notice of an intended entry to the owner or occupier of land, premises or thing, specifying the purpose for which entry is required [s.28]. 7. Authority to obtain a warrant to enable entry onto any land, premises or thing for the purposes of this Act [s.29].
Conditions of Delegation:	Item 5 is subject to exercising Powers of Entry.
Delegated To:	Chief Executive Officer
Express Power to Sub-Delegate:	<i>Graffiti Vandalism Act 2016:</i> s.17 Delegation by CEO of local government

Council Adoption	26/03/2019
Reviewed/Modified:	08/21, 03/22, 03/23, 06/24, 03/25, 06/26
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>
Delegator:	Council
Express Power to Delegate:	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limits on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.50 Closing certain thoroughfares to vehicles s.3.50A Partial closure of thoroughfare for repairs or maintenances s.3.51 Affected owners to be notified of certain proposals
Power or Duty being Delegated:	1. Authority to close a thoroughfare (wholly or partially) to vehicles or particular classes of vehicles for a period not exceeding 4-weeks [s.3.50(1)]. 2. Authority to determine to close a thoroughfare for a period exceeding 4-weeks and before doing so, to: a. Give local public notice, written notice to the Commissioner of Main Roads and written notice to prescribed persons and persons that own prescribed land; and b. consider submissions relevant to the road closure(s) proposed [s.3.50(1a), (2) and (4)]. 3. Authority to revoke an order to close a thoroughfare [s.3.50(6)]. 4. Authority to partially and temporarily close a thoroughfare without public notice for repairs or maintenance, where it is unlikely to have significant adverse effect on users of the thoroughfare [s.3.50A]. 5. Authority to, before doing anything to which section 3.51 applies, take action to notify affected owners and give public notice that allows reasonable time for submissions to be made and consider any submissions

	made before determining to fix or alter the level or alignment of a thoroughfare or draining water from a thoroughfare to private land [s. 3.51].
Conditions of Delegation:	(a) 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. (c) If under s.3.50(1), a thoroughfare is closed without giving local public notice, local public notice is to be given as soon as practicable after the thoroughfare is closed [s.3.50(8)]. (d) Limited to temporary road closures only. Permanent road closures are to be determined by Council subject to compliance with the <i>Land Administration Act 1987</i>.
Delegated To:	Chief Executive Officer
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

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, 06/26
Relevant Management Practice:	N/A
Relevant Policy:	N/A
Relevant Delegation:	N/A

Delegation from Council DC512

OBSTRUCTION OF FOOTPATHS AND THOROUGHFARES

Strategic Direction	Environment (Built and Natural)
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>
Delegator:	Council
Express Power to Delegate:	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limits on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.5(2) Interfering with, or taking from, local government land r.6 Obstruction of public thoroughfare by things placed and left - Sch. 9.1 cl. 3(1)(a) r.7A Obstruction of public thoroughfare by fallen things – Sch.9.1 cl.3(1)(b) r.7 Encroaching on public thoroughfare – Sch.9.1. cl.3(2)
Power or Duty being Delegated:	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: a. prevent damage to the footpath; or b. prevent inconvenience to the public or danger from falling materials [ULP 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. [ULP 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 [ULP 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 [ULP r.7A]. 5. Authority to require an owner occupier of land to remove any part of a structure, tree or plant that is encroaching, without lawful authority on a public thoroughfare [ULP r.7].
Conditions of Delegation:	a. Actions under this Delegation must comply with procedural requirements detailed in <i>the Local Government (Uniform Local Provisions) Regulations 1996</i> .
Delegated To:	Chief Executive Officer
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Council Adoption	30/06/2026
Reviewed/Modified:	
Relevant Management Practice:	Nil
Relevant Policy:	Nil
Relevant Delegation:	Nil

Delegation from Council DC513

PUBLIC THOROUGHFARE – DANGEROUS EXCAVATION

Strategic Direction	Environment (Built and Natural)
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>
Delegator:	Council
Express Power to Delegate:	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limits on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.11(1), (4), (6) & (8) Dangerous excavation in or near public thoroughfare – Sch.9.1 cl.6
Power or Duty being Delegated:	1. Authority to determine if an excavation in or on land adjoining a public thoroughfare is dangerous and take action to fill it in or fence it or request the owner / occupier in writing to fill in or securely fence the excavation [ULP r.11(1)]. 2. Authority to determine to give permission or refuse to give permission to make or make and leave an excavation in a public thoroughfare or land adjoining a public thoroughfare [ULP r.11(4)]. 3. Authority to impose conditions on granting permission [ULP r.11(6)]. 4. Authority to renew a permission granted or vary at any time, any condition imposed on a permission granted [ULP r.11(8)].

Conditions of Delegation:	a. Actions under this Delegation must comply with procedural requirements detailed in <i>the Local Government (Uniform Local Provisions) Regulations 1996</i>. b. Permission may only be granted where, the proponent has: i. Where appropriate, obtained written permission from each owner of adjoining or adjacent property which may be impacted by the proposed obstruction. ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good public assets damaged by the obstruction at the completion of works. iii. Provided evidence of sufficient Public Liability Insurance. iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.
Delegated To:	Chief Executive Officer
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Council Adoption	30/06/2026
Reviewed/Modified:	N/A
Relevant Management Practice:	Nil
Relevant Policy:	Nil
Relevant Delegation:	Nil

Delegation from Council DC514

CROSSING – CONSTRUCTION, REPAIR AND REMOVAL

Strategic Direction	Environment (Built and Natural)
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>
Delegator:	Council
Express Power to Delegate:	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limits on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.12(1) Crossing from public thoroughfare to private land or private thoroughfare – Sch.9.1 cl.7(2) r.13(1) Requirement to construct or repair crossing – Sch.9.1 cl.7(3)
Power or Duty being Delegated:	1. Authority to approve or refuse to approve, applications for the construction of a crossing giving access from a public thoroughfare to land or private thoroughfare serving land [ULP r.12(1)]. 2. Authority to determine the specifications for construction of crossings to the satisfaction of the Local Government [ULP r.12(1)(a)]. 3. Authority to give notice to an owner or occupier of land requiring the person to construct or repair a crossing [ULP r.13(1)]. 4. Authority to initiate works to construct a crossing where the person fails to comply with a notice requiring them to construct or repair the crossing and recover 50% of the cost of doing so as a debt due from the person [ULP r.13(2)].
Conditions of Delegation:	1. Actions under this Delegation must comply with procedural requirements detailed in <i>the Local Government (Uniform Local Provisions) Regulations 1996</i>.
Delegated To:	Chief Executive Officer

Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
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Council Adoption	30/06/2026
Reviewed/Modified:	TBA
Relevant Management Practice:	Nil
Relevant Policy:	Nil
Relevant Delegation:	Nil

Delegation from Council DC515

PRIVATE WORKS ON, OVER OR UNDER PUBLIC PLACES

Strategic Direction	Environment (Built and Natural)
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>
Delegator:	Council
Express Power to Delegate:	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limits on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.17 Private works on, over, or under public places – Sch.9.1 cl.
Power or Duty being Delegated:	1. Authority to grant permission or refuse permission to construct a specified thing on, over, or under a specified public thoroughfare or public place that is local government property [ULP r.17(3)]. 2. Authority to impose conditions on granting permission including those prescribed in r.17(5) and (6) [ULP r.17(5)].
Conditions of Delegation:	a. Actions under this Delegation must comply with procedural requirements detailed in <i>the Local Government (Uniform Local Provisions) Regulations 1996</i>. b. Permission may only be granted where, the proponent has: i. Where appropriate, obtained written permission from each owner of adjoining or adjacent property which may be impacted by the proposed obstruction. ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good public assets damaged by the obstruction at the completion of works. iii. Provided evidence of sufficient Public Liability Insurance. iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.

Delegated To:	Chief Executive Officer
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Council Adoption	30/06/2026
Reviewed/Modified:	N/A
Relevant Management Practice:	Nil
Relevant Policy:	Nil
Relevant Delegation:	Nil

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>
Delegator:	Council
Express Power to Delegate:	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limits on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government (Financial Management) Regulations 1996:</i> R.12(1)(a) Payments from the municipal fund or trust fund, restrictions on making
Power or Duty being Delegated:	The authority to make payments on behalf of the City from the Municipal Fund or the Trust Fund.
Conditions of Delegation:	(a) Regulation 5(1)(e), 11,12, 13 and 13A of the <i>Local Government (Financial Management) Regulations 1996</i> must be complied with. (b) Monthly reporting to Council is to be in accordance with Regulation 13 of the <i>Local Government (Financial Management) Regulations 1996</i>. (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, transfers between trust and municipal funds; and the lodgement of Employees' Superannuation payments. (e) 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

Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
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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, 06/26
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>
Delegator:	Council
Express Power to Delegate:	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limits on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.6.14 Power to invest <i>Local Government (Financial Management) Regulations 1996:</i> r.19 Investments, control procedures for
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) All investment activity must comply with regulation 19C of the <i>Local Government (Financial Management) Regulations 1996</i> and Council Policy P603 - Investment of Surplus Funds. (b) A report summarising the composition of the investment portfolio including investment classes, amounts invested with each financial institution and details of the investment performance shall be provided to Council monthly.
Delegated To:	Chief Executive Officer
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

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, 06/26
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>
Delegator:	Council
Express Power to Delegate:	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limits on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.57 Tenders for providing goods or services <i>Local Government (Functions and General) Regulations 1996:</i> r.11 When tenders have to be publicly invited r.13 Requirements when local government invites tenders though not required to do so r.14 Publicly inviting tenders, requirements for r.18 Rejecting and accepting tenders r.20 Variation of requirements before entry into contract r.21A Varying a contract for the supply of goods or services
Power or Duty being Delegated:	a) Authority to call tenders [F&G r.11(1)]. b) Authority to undertake tender exempt procurement where the total consideration under the resulting contract is included in the annual budget [F&G r.11(2)]. c) Authority to, because of the unique nature of the goods or services or for any other reason it is unlikely there is more than one supplier, determine to contract directly with a suitable supplier [F&G r.11(2)(f)]. d) Authority to invite tenders although not required to do so [F&G r.13]. e) Authority to determine in writing, before tenders are called, the criteria for acceptance of tenders [F&G r.14(2a)]. f) Authority to determine the information that is to be disclosed to those interested in submitting a tender [F&G r.14(4)(a)].

	g) 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)]. h) Authority to determine whether or not to reject tenders that do not comply with the requirements specified in the invitation to tender [F&G r.18(2)]. i) Authority to evaluate tenders, by written evaluation, and decide which is the most advantageous [F&G r.18(4)]. j) Authority to seek clarification from tenderers in relation to information contained in their tender submission [F&G r.18(4a)]. k) Authority to accept tenders, within the value detailed as a condition on this Delegation [F&G r.18(4)]. l) Authority to decline to accept any tender [F&G r.18(5)]. 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)]. n) Authority to determine whether variations in goods and services proposed are minor variations and to negotiate with the successful tenderer to make minor variations before entering into a contract [F&G r.20(1) and (3)]. o) If the chosen tenderer is unable or unwilling to form a contract, or a 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 [F&G r.20(2)] p) Authority to vary a tendered contract, <u>after</u> it has been entered into [F&G r.21A(a)]. q) Authority to exercise a contract extension option that was included in the original tender specification and contract in accordance with r.11(2)(j).
Conditions of Delegation:	1. The authority to accept tenders is limited to: - All tenders to a maximum value of \$500,000 (exclusive of GST); and - A maximum value of \$700,000 (exclusive of GST) where the supply of products or services is procured through the Western Australian Local Government Association (WALGA) Preferred Supplier Program, State Government Common Use Agreement (CUA) or the State or

	Commonwealth Government or any of their agencies. 2. Acceptance of tenders is conditional upon the Chief Executive Officer being satisfied that: 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 successful tender represents the best overall value for the City; and d. The expense is included in the adopted Annual Budget.. 3. The Delegate is authorised to decline to accept any tender received where in the opinion of the Delegate: a. The number of tenders received is insufficient as to provide for a reasonable assessment of the merits of the tenders received; or b. It would be disadvantageous to the local government to accept any tender; or c. The contract value would exceed the budget provision for the invited service; or d. No person is capable of satisfactorily supplying the requested goods or services The delegate must ensure that: a) The tender process has been carried out in accordance with the Act, the Regulations and the City's Policies and Management Practices. b) The tenders register records that no Tender was accepted. 4. A decision to renew or extend the contract must only occur where the original contract contained the option to renew or extend its term as per r.11(2)(j) <u>and</u> the contractor's performance has been reviewed evidencing the rationale for entering into the extended term. 5. A decision to vary a contract before entry into the contract must include evidence that the variation is minor in comparison to the total goods or services that tenderers were invited to supply. 6. A decision to vary a contract after entry into the contract must comply with Council Policy P701
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	Variations to Contract and must include evidence that the variation is necessary and does not change the scope of the contract.
Delegated To:	Chief Executive Officer
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

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, 06/26
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>
Delegator:	Council
Express Power to Delegate:	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limits on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.58 Disposing of Property
Power or Duty being Delegated:	1. Authority to enter into agreements to lease property that the City owns or controls under a management order which confers the power to lease.
Conditions of Delegation:	The CEO may exercise this power in relation to a lease subject to: - Meeting the requirements of section 3.58 of the <i>Local Government Act 1995</i>; - Meeting the requirements of the <i>Commercial Tenancy (Retail Shops) Agreements Act 1985</i> where applicable; - 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; - Leases being for a maximum term of five years with a five year option for: - Not for Profit Sporting Organisations; or - Kindergartens Operated by Not for Profit Organisations; or - Not for Profit Community Associations / Government Bodies, Committees and Associations; and

	e) Renewal of an existing commercial lease being for a maximum term of five years. Note: All new commercial leases will be brought to Council for consideration.
Delegated To:	Chief Executive Officer
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

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, 06/26
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>
Delegator:	Council
Express Power to Delegate:	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limits on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.58 Disposing of Property
Power or Duty being Delegated:	- Authority to dispose of property to: - the highest bidder at public auction [s.3.58(2)(a)]. - the person who at public tender called by the local government makes what is considered by the delegate to be, the most acceptable tender, whether or not it is the highest tenders [s.3.58(2)(b)] - 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:	- 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. - This delegation does not apply to the disposal of land by way of lease which is provided for by DC609. - For the purposes of s5.43(d) disposal of property identified in 1 and 2 above is limited to a maximum value of \$350,000.00 for any single project or where not part of a project but part of a single transaction. - When determining the method of disposal:

	a. Where a public auction is determined as the method of disposal: i. Reserve price is to be set by independent valuation. ii. Where the reserve price is not achieved at auction, negotiation may be undertaken to achieve the sale at up to a -10% variation on the set reserve price. b. Where a public tender is determined as the method of disposal and the tender does not achieve a reasonable price for the disposal of the property, the delegate is to determine if better value could be achieved through another disposal method and if so, must determine not to accept any tender and use an alternative disposal method. c. Where a direct negotiation is determined as the method of disposal, the delegate is to: i. Negotiate the sale of the property up to a -10% variance on the valuation; and 3 ii. Consider any public submissions received and determine if to proceed with the disposal, ensuring that the reasons for such a decision are recorded. d. Where an exempt disposition is proposed to be undertaken [r. 30], the disposal method must obtain a best value outcome for the City.
Delegated To:	Chief Executive Officer
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

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, 06/26
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>
Delegator	Council
Express Power to Delegate:	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limits on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> S 6.12 Power to defer, grant discounts, waive or write off debts
Power or Duty being Delegated:	1. Waive or grant a concession in relation to any amount of money [s 6.12(1)(b)]. 2. Write off an amount of money which is owed to the City [s. 6.12(1)(c)].
Conditions of Delegation:	<u>Limited to individual or cumulative sums below \$2,000 (GST exclusive) where:</u> 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. <u>Write-off any amount of money specifically identified and provided for in the Provision for Doubtful Debts where:</u> a) The amount is found to be uncollectable; and b) Compliance with applicable Australian Accounting Standards or other professional pronouncements require the debt to be removed from the City's accounts.

	A record of any amounts written-off under this delegation is required to be kept and made available for external audit purposes. The authority to waive or grant a concession in relation to any amount of money does not apply to an amount of money owing in respect of rates and service charges.
Delegated To:	Chief Executive Officer
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Council Adoption	25/06/24
Reviewed/Modified:	03/25, 06/26
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>
Delegator:	Council
Express Power to Delegate:	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limits on delegations to the CEO
Legislative Reference of Power:	<i>Local Government Act 1995:</i> s.9.24(1)(c) and (2)(b) Prosecutions, commencing
Power or Duty being Delegated:	- Authority to authorise persons to commence prosecutions for offences 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 [s.9.24(1)(c) and (2)(b)]. - 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, 06/26
Relevant Management Practice:	N/A
Relevant Policy:	N/A
Relevant Delegation:	N/A

Delegation from Council DC619

RATE RECORD AMENDMENT

Strategic Direction	Leadership
Responsible Business Unit/s	Financial Services
Responsible Officer	Manager Finance
Affected Business Unit/s	Financial Services

Head of Power:	<i>Local Government Act 1995</i>
Delegator:	Council
Express Power to Delegate:	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limits on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s6.39(2)(b) Rate record
Power or Duty being Delegated:	Authority to determine any requirement to amend the rate record for the 5-years preceding the current financial year [s.6.39(2)(b)].
Conditions of Delegation:	Delegates must comply with the requirements of s.6.40 of the Act which outlines consequential actions that may be required following a decision to amend the rate record.
Delegated To:	Chief Executive Officer
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Council Adoption	30/06/2026
Reviewed/Modified:	N/A
Relevant Management Practice:	Nil
Relevant Policy:	Nil
Relevant Delegation:	Nil

Delegation from Council DC620

RATE RECORD OBJECTIONS

Strategic Direction	Leadership
Responsible Business Unit/s	Financial Services
Responsible Officer	Manager Finance
Affected Business Unit/s	Financial Services

Head of Power:	<i>Local Government Act 1995</i>
Delegator:	Council
Express Power to Delegate:	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limits on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.6.76 Grounds of objection
Power or Duty being Delegated:	1. Authority to extend the time for a person to make an objection to a rate record [s.6.76(4)]. 2. Authority to consider an objection to a rate record and either allow it or disallow it, wholly or in part, providing the decision and reasons for the decision in a notice promptly served upon the person whom made the objection [s.6.76(5)].
Conditions of Delegation:	A delegate who participated in any matter contributing to a decision related to the rate record, which is the subject of a rates record objection, must not be party to any determination under this Delegation.
Delegated To:	Chief Executive Officer
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Council Adoption	30/06/2026
Reviewed/Modified:	N/A
Relevant Management Practice:	Nil
Relevant Policy:	Nil
Relevant Delegation:	Nil

Delegation from Council DC621

AGREEMENT AS TO PAYMENT OF RATES AND SERVICE CHARGES

Strategic Direction	Leadership
Responsible Business Unit/s	Financial Services
Responsible Officer	Manager Finance
Affected Business Unit/s	Financial Services

Head of Power:	<i>Local Government Act 1995</i>
Delegator:	Council
Express Power to Delegate:	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limits on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.6.49 Agreement as to payment of rates and service charges
Power or Duty being Delegated:	Authority to a. make an agreement with a person for the payment of rates or service charges [s. 6.49].
Conditions of Delegation:	Decisions under this delegation must comply with applicable policies and procedures.
Delegated To:	Chief Executive Officer
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Council Adoption	30/06/2026
Reviewed/Modified:	N/A
Relevant Management Practice:	Nil
Relevant Policy:	P697 Financial Hardship Assistance
Relevant Delegation:	Nil

Delegation from Council DC622

RECOVERY OF RATES OR SERVICE CHARGES

Strategic Direction	Leadership
Responsible Business Unit/s	Financial Services
Responsible Officer	Manager Finance
Affected Business Unit/s	Financial Services

Head of Power:	<i>Local Government Act 1995</i>
Delegator:	Council
Express Power to Delegate:	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limits on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.6.56 Rates or service charges recoverable in court s.6.64(1) & (3) Actions to be taken s.6.69(2) Right to pay rates, service charges and costs, and stay proceedings s.6.71 Power to transfer land to Crown or local government s.6.74 Power to have land revested in Crown if rates in arrears 3 years
Power or Duty being Delegated:	1. Authority to recover rates or service charges, as well as costs of proceedings for the recovery, in a court of competent jurisdiction [s.6.56(1)]. 2. Authority to lodge (and withdraw) a caveat to preclude dealings in respect of land where payment of rates or service charges imposed on that land is in arrears [s.6.64(3)]. 3. Authority to take possession of land and hold the land against a person having an estate or interest in the land where rates or service charges have remained unpaid for at least three years [s.6.64(1)], including: i. lease the land; or ii. sell the land; or where land is offered for sale and a contract of sale has not been entered into after 12 months; I. cause the land to be transferred to the Crown [s.6.71 and s.6.74]; or II. cause the land to be transferred to the City [s.6.71].

	4. Authority to agree terms and conditions with a person having estate or interest in land and to accept payment of outstanding rates, service charges and costs within 7 days of and prior to the proposed sale [s.6.69(2)].
Conditions of Delegation:	In accordance with s.6.68(3A), this delegation cannot be used where a decision relates to exercising a power of sale without having, within the previous 3-years attempted to recover the outstanding rates / charges through a court under s.6.56, as s.6.68(3A) requires that the reasons why court action has not been pursued must be recorded in the minutes of a council meeting.
Delegated To:	Chief Executive Officer
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Council Adoption	30/06/2026
Reviewed/Modified:	N/A
Relevant Management Practice:	Nil
Relevant Policy:	Nil
Relevant Delegation:	Nil

Delegation from Council DC623

PANELS OF PRE-QUALIFIED SUPPLIERS FOR GOODS AND SERVICES

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>
Delegator:	Council
Express Power to Delegate:	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limits on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government (Functions and General) Regulations 1996:</i> r.24AB Local government may establish panels of pre-qualified suppliers r.24AC(1)(b) Requirements before establishing panels of pre-qualified suppliers r.24AD(1), (3) & (6) Requirements when inviting persons to apply to join panel of pre-qualified suppliers r.24AH(2), (3), (4) and (5) Rejecting and accepting applications to join panel of pre-qualified suppliers r.24AJ(1) Contracts with pre-qualified suppliers
Power or Duty being Delegated:	1. Authority to determine that there is a continuing need for the goods or services proposed to be provided by a panel of pre-qualified suppliers [F&G r.24AC(1)(b)]. 2. Authority to publicly invite persons to apply to join a panel of pre-qualified suppliers [F&G r.24AD(1)]. 3. Authority to, before inviting submissions, determine the written criteria for deciding which applications for inclusion in a panel of pre-qualified suppliers should be accepted [F&G r.24AD(3)]. 4. Authority to vary information after public notice inviting submissions has been given, taking reasonable steps to each person who has enquired or submitted an application is provided notice of the variation [F&G r.24AD(6)]. 5. Authority to reject an application that does not comply with the requirements specified in the invitation [F&G r.24AH(2)]. 6. Authority to assess applications, by written evaluation, and decide which applications to accept as most advantageous [F&G r.24AH(3)].

	7. Authority to request clarification of information provided in a submission by an applicant [F&G r.24AH(4)]. 8. Authority to decline to accept any application [F&G r.24AH(5)]. 9. Authority to enter into contract, or contracts, for the supply of goods or services with a pre-qualified supplier, as part of a panel of pre-qualified suppliers for those particular goods or services [F&G r.24AJ(1)].
Conditions of Delegation:	Panels of pre-qualified suppliers may only be established by the delegate where the total consideration under the resulting contract is \$500,000 or less and the expense is included in the adopted Annual Budget.
Delegated To:	Chief Executive Officer
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Council Adoption	30/06/2026
Reviewed/Modified:	N/A
Relevant Management Practice:	Nil
Relevant Policy:	P611 Pre-Qualified Supplier Panels
Relevant Delegation:	Nil

Delegation from Council DC624

POWERS OF ENTRY

Strategic Direction	Leadership
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>
Delegator:	Council
Express Power to Delegate:	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limits on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.28 When this Subdivision applies s.3.32 Notice of entry s.3.33 Entry under warrant s.3.34 Entry in an emergency s.3.36 Opening fences
Power or Duty being Delegated:	1. Authority to exercise powers of entry to enter onto land to perform any of the local government functions under this Act, other than entry under a local law [s.3.28]. 2. Authority to give notice of entry [s.3.32]. 3. Authority to seek and execute an entry under warrant [s.3.33]. 4. Authority to execute entry in an emergency, using such force as is reasonable [s.3.34(1) and (3)]. 5. Authority to give notice and effect entry by opening a fence [s.3.36].
Conditions of Delegation:	Delegated authority under s.3.34(1) and (3) may only be used, where there is imminent or substantial risk to public safety or property.
Delegated To:	Chief Executive Officer
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Council Adoption	30/06/2026
Reviewed/Modified:	N/A
Relevant Management Practice:	Nil
Relevant Policy:	Nil
Relevant Delegation:	Nil

Delegation from Council DC625

DECLARE VEHICLE IS ABANDONED VEHICLE WRECK

Strategic Direction	Leadership
Responsible Business Unit/s	Corporate Services
Responsible Officer	Chief Executive Officer, Director Corporate Services
Affected Business Unit/s	Corporate Services

Head of Power:	<i>Local Government Act 1995</i>
Delegator:	Council
Express Power to Delegate:	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limits on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.40A(4) Abandoned vehicle wreck may be taken
Power or Duty being Delegated:	1. Declare that an impounded vehicle is an abandoned vehicle wreck [s.3.40A(4)].
Conditions of Delegation:	Disposal of a declared abandoned vehicle wreck to be undertaken in accordance with Delegated Authority DC626 Disposing of Confiscated or Uncollected Goods.
Delegated To:	Chief Executive Officer
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Council Adoption	30/06/2026
Reviewed/Modified:	N/A
Relevant Management Practice:	Nil
Relevant Policy:	Nil
Relevant Delegation:	DC626 Disposing of Confiscated or Uncollected Goods

Delegation from Council DC626

CONFISCATED OR UNCOLLECTED GOODS

Strategic Direction	Leadership
Responsible Business Unit/s	Chief Executive Officer, Corporate Services
Responsible Officer	Chief Executive Officer, Director Corporate Services
Affected Business Unit/s	Corporate Services

Head of Power:	<i>Local Government Act 1995</i>
Delegator:	Council
Express Power to Delegate:	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limits on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.46 Goods May be withheld until costs paid s.3.47 Confiscated or uncollected goods, disposal of s.3.48 Impounding expenses, recovery of
Power or Duty being Delegated:	1. Authority to refuse to allow goods impounded under s.3.39 or 3.40A to be collected until the costs of removing, impounding and keeping them have been paid to the local government [s.3.46]. 2. Authority to sell or otherwise dispose of confiscated or uncollected goods or vehicles that have been ordered to be confiscated under s.3.43 [s.3.47]. 3. Authority to recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods [s.3.48].
Conditions of Delegation:	Disposal of confiscated or uncollected goods, including abandoned vehicles, is to be in accordance with any applicable legislation, Council policies and DC612 Disposal of Surplus Property.
Delegated To:	Chief Executive Officer
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Council Adoption	30/06/2026
Reviewed/Modified:	
Relevant Management Practice:	Nil
Relevant Policy:	Nil
Relevant Delegation:	DC612 Disposal of Surplus Property

Delegation from Council DC627

DISPOSAL OF SICK OR INJURED ANIMALS

Strategic Direction	Community
Responsible Business Unit/s	Chief Executive Officer, Corporate Services
Responsible Officer	Chief Executive Officer, Director Corporate Services
Affected Business Unit/s	Corporate Services

Head of Power:	<i>Local Government Act 1995</i>
Delegator:	Council
Express Power to Delegate:	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limits on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.47A Sick or injured animals, disposal of
Power or Duty being Delegated:	Authority to determine when an impounded animal is ill or injured, that treating it is not practicable, and to humanely destroy the animal and dispose of the carcass [s.3.47A(1)].
Conditions of Delegation:	Delegation only to be exercised where the Delegate's reasonable efforts to identify and contact an owner have failed.
Delegated To:	Chief Executive Officer
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Council Adoption	30/06/2026
Reviewed/Modified:	
Relevant Management Practice:	Nil
Relevant Policy:	Nil
Relevant Delegation:	Nil

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>
Delegator:	Council
Express Power to Delegate:	<i>Dog Act 1976</i> s.10AA Delegation of local government powers and duties
Express Power or Duty Delegated:	<i>Dog Act 1976</i> s.10AA Delegation of local government powers and duties
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:	Nil.
Delegated To:	Chief Executive Officer
Express Power to Sub-Delegate:	<i>Dog Act 1976</i> s.10AA(3) Delegation of local government powers and duties

Council Adoption	26/03/2019
Reviewed/Modified:	08/21, 03/22, 03/23, 06/24, 03/25, 06/26
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>
Delegator:	Council
Express Power to Delegate:	<i>Cat Act 2011:</i> s.44 Delegation by local government
Express Power or Duty Delegated:	<i>Cat Act 2011:</i> s.44 Delegation by local government
Power or Duty being Delegated:	1. 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
Express Power to Sub-Delegate:	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government

Council Adoption	26/03/2019
Reviewed/Modified:	08/21, 03/22, 03/23, 06/24, 03/25, 06/26
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>
Delegator:	Council
Express Power to Delegate:	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
Express Power or Duty Delegated:	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
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
Express Power to Sub-Delegate:	Nil – Sub-delegation is prohibited by s.48(3).

Council Adoption	26/03/2019
Reviewed/Modified:	08/21, 03/22, 03/23, 06/24, 03/25, 06/26
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>
Delegator:	Council
Express Power to Delegate:	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limits on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995</i> Section 3.18(1) Performing executive functions All powers under the City's local laws: • Cats Local Law 2024 • Dogs Local Law 2025 • Fencing Local Law 2024 • Health Local Laws 2002 • Parking Local Law 2017 • Public Places and Local Government Property Local Law 2011 • Standing Orders Local Law 2007 • Waste Local Law 2017
Power or Duty being Delegated:	The authority to administer the City's local laws and to do all other things that are permissible, necessary or convenient to be done for or in connection with performing the functions of the City.
Conditions of Delegation:	<u>Parking Local Law 2017</u> Proposals to establish metered zones and paid parking areas are to be referred to Council for consideration prior to establishment.
Delegated To:	Chief Executive Officer
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

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, 06/26
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>
Delegator:	Council
Express Power to Delegate:	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limits on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.57 Tenders for providing goods or services <i>Local Government (Functions and General) Regulations 1996:</i> r.21 Limiting who can tender, procedure for r.23 Rejecting and accepting expressions of interest to be acceptable tenderer
Power or Duty being Delegated:	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:	Compliance with regulations 21 - 24 of the <i>Local Government (Functions and General) Regulations 1996</i> and City Policy P607 Tenders and Expressions of Interest. The tenders register records the required details regarding Expressions of Interest with reference to the <i>Local Government (Functions and General) Regulations 1996</i>, Regulation 17(2). Expressions of Interest may only be called where there is an adopted budget for the proposed goods or services.
Delegated To:	Chief Executive Officer

Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
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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, 06/26
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>
Delegator:	Council
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 - 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:	1. Development Applications 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. 2. Discretion to Modify Development Standards 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. 3. Structure Plans The authority to: (a) Make a determination under clause 17(1) of the

	Deemed Provisions (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. (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. 4. Local Development Plans The authority to: (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, (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
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	Provisions. 5. Local Planning Policies 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. 6. Heritage The authority to: (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 (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 subject to undertaking public consultation if required by clause 12(3),
Conditions of Delegation:	1. Granting of Development Approval (a) Land Use and Application Type The granting of Development Approval does not extend to the following land uses and application types: (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>.

	(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) Except for applications involving 'prescribed single house development', 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
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	the Local Planning Scheme, State Planning Policies and/or Local Planning Policies have not been complied with except where, in the opinion of the Delegate: 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. 2. Advertising Where advertising of an application is required, the granting of Development Approval may only occur where: (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

Council Adoption	26/03/24
Reviewed/Modified:	06/24, 03/25, 03/26, 06/26

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>
Delegator:	Council
Express Power to Delegate:	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limits on delegations to the CEO
Express Power or Duty Delegated:	<i>Planning and Development Act 2005:</i> Section 214(2), (3) and (5) Illegal development, responsible authority's powers as to
Power or Duty being Delegated:	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: 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.
Conditions of Delegation:	(1) Nil

Delegated To:	Chief Executive Officer
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Council Adoption	26/03/24
Reviewed/Modified:	06/24, 03/25, 06/26
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>
Delegator:	Council
Express Power to Delegate:	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limits on delegations to the CEO
Legislative Reference of Power:	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO
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, 06/26
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>
Delegator:	Council
Express Power to Delegate:	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation
Express Power or Duty Delegated:	<i>Food Act 2008:</i> s.56(2) Compensation to be paid in certain circumstances s.70(2) and (3) Compensation
Power or Duty being Delegated:	- 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)]. - 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:	- 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. - Compensation under this delegation may only be determined upon documented losses up to a maximum of \$5,000.00. Compensation requests above this value are to be reported to Council.
Delegated To:	Chief Executive Officer Director Development and Community Services Manager Development Services
Express Power to Sub-Delegate:	Nil – <i>Food Regulations 2009</i> do not provide for sub-delegation.

Council Adoption	25/03/2025
Reviewed/Modified:	06/26
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>
Delegator:	Council
Express Power to Delegate:	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation
Express Power or Duty Delegated:	<i>Food Act 2008:</i> s.54 Cost of destruction or disposal of forfeited item s.125 Institution of proceedings
Power or Duty being Delegated:	- 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)]. - Authority to institute proceedings for an offence under the <i>Food Act 2008</i> [s.125].
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
Express Power to Sub-Delegate:	Nil – <i>Food Regulations 2009</i> do not provide for sub-delegation.

Council Adoption	25/03/2025
Reviewed/Modified:	06/26

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>
Delegator:	Council
Express Power to Delegate:	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation
Express Power or Duty Delegated:	<i>Food Act 2008:</i> s.110(1) and (5) Registration of food business s.112 Variation of conditions or cancellation of registration of food businesses
Power or Duty being Delegated:	a. 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)]. b. Authority to vary the conditions or cancel the registration of a food business [s.112].
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 Environmental Health Coordinator
Express Power to Sub-Delegate:	Nil – <i>Food Regulations 2009</i> do not provide for sub-delegation.

Council Adoption	25/03/25
Reviewed/Modified:	06/26
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>
Delegator:	Council
Express Power to Delegate:	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation
Express Power or Duty Delegated:	<i>Food Regulations 2009:</i> r.51 Enforcement agency may make list of food
Power or Duty being Delegated:	Authority to decide to make a list of food businesses maintained under s.115(a) or s. 115(b) publicly available [r.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
Express Power to Sub-Delegate:	Nil – <i>Food Regulations 2009</i> do not provide for sub-delegation.

Council Adoption	25/03/25
Reviewed/Modified:	06/26
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>
Delegator:	Council
Express Power to Delegate:	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation
Express Power or Duty Delegated:	<i>Food Act 2008:</i> s.65(1) Prohibition orders s.66 Certificate of clearance to be given in certain circumstances s.67(4) Request for re-inspection
Power or Duty being Delegated:	1. 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. Authority to give a certificate of clearance, where inspection demonstrates compliance with a prohibition order and any relevant improvement notices [s.66]. 3. 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:	Chief Executive Officer Director Development and Community Services Manager Development Services
Express Power to Sub-Delegate:	Nil – <i>Food Regulations 2009</i> do not provide for sub-delegation.

Council Adoption	25/03/25
Reviewed/Modified:	06/26
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>
Delegator:	Council
Express Power to Delegate:	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limits on delegations to the CEO
Legislative Reference of Power:	<i>Local Government Act 1995:</i> s.3.24 Authorising persons under this Subdivision s.3.31(2) General procedure for entering property s.3.39(1) Power to remove and impound s.3.40A Abandoned vehicle wreck may be taken <i>Local Government (Miscellaneous Provisions) Act 1960:</i> s.449 Pounds, establishing; poundkeepers and rangers, appointing
Power or Duty being Delegated:	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]. - authorise persons to enter onto land, premises or thing, without consent of the owner / occupier, unless the owner / occupier objects [s.3.31(2)]. - 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. authorise an employee to remove and impound a vehicle that has been determined as an abandoned vehicle wreck [s.3.40A(1)]. 5. 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:	06/26
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>
Delegator:	Council
Express Power to Delegate:	<i>Food Act 2008</i> : s.118 Functions of enforcement agencies and delegation
Express Power or Duty Delegated:	<i>Food Act 2008</i> : s.122(1) Appointment of authorised officers s.126(6), (7) and (13) Infringement notices
Power or Duty being Delegated:	1. Authority to appoint a person to be an 'authorised officer' for the purposes of the <i>Food Act 2008</i> [s.122(2)]. 2. 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. 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)].
Conditions of Delegation:	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: 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
Express Power to Sub-Delegate:	Nil – <i>Food Regulations 2009</i> do not provide for sub-delegation.

Council Adoption	25/03/25
Reviewed/Modified:	06/26
Relevant Management Practice:	N/A
Relevant Policy:	N/A
Relevant Delegation:	N/A

Delegation from Council DC713

APPOINT AUTHORISED OFFICER OR APPROVED OFFICER (ASBESTOS)

Strategic Direction	Community
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>Health (Asbestos) Regulations 1992</i>
Delegator:	Council
Express Power to Delegate:	<i>Health (Asbestos) Regulations 1992:</i> r.15D(7) Infringement Notices
Express Power or Duty Delegated:	<i>Health (Asbestos) Regulations 1992:</i> r.15D(5) Infringement Notices
Power or Duty being Delegated:	Authority to appoint a person or classes of persons as an authorised officer or approved officer for the purposes of the <i>Criminal Procedure Act 2004</i> Part 2 [r.15D(5)].
Conditions of Delegation:	Each person appointed is to be issued with a certificate, badge or identity card identifying the officer as a person authorised to issue infringement notices [r.15D(6)].
Delegated To:	Chief Executive Officer
Express Power to Sub-Delegate:	Nil – the <i>Health (Asbestos) Regulations 1992</i> do not provide a power to sub-delegate.

Council Adoption	30/06/2026
Reviewed/Modified:	N/A
Relevant Management Practice:	Nil
Relevant Policy:	Nil
Relevant Delegation:	Nil

Delegation from Council DC714

DESIGNATE AUTHORISED OFFICERS – PUBLIC HEALTH ACT 2016

Strategic Direction	Community
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>Public Health Act 2016</i>
Delegator:	Council
Express Power to Delegate:	<i>Public Health Act 2016:</i> s.21 Enforcement agency may delegate
Express Power or Duty Delegated:	<i>Public Health Act 2016:</i> s.24(1) and (3) Designation of authorised officers
Power or Duty being Delegated:	1. Authority to designate a person or class of persons as authorised officers for the purposes of: i. The <i>Public Health Act 2016</i> or other specified Act; or ii. Specified provisions of the <i>Public Health Act 2016</i> or other specified Act; or iii. Provisions of the <i>Public Health Act 2016</i> or another specified Act, other than the specified provisions of that Act. • Including: a. an environmental health officer or environmental health officers as a class; or b. a person who is not an environmental health officer or a class of persons who are not environmental health officers; or c. a mixture of the two. [s.24(1) and (3)].
Conditions of Delegation:	a. Subject to each person appointed being; • Appropriately qualified and experienced [s.25(1)(a)]; and • Issued with a certificate, badge or identity card identifying the authorised officer [s.30 and 31]. b. A Register (list) of authorised officers is to be maintained in accordance with s.27.
Delegated To:	Chief Executive Officer

Express Power to Sub-Delegate:	Nil – Unless a Regulation enacted under <i>the Public Health Act 2016</i> , specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].
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Council Adoption	30/06/2026
Reviewed/Modified:	N/A
Relevant Management Practice:	Nil
Relevant Policy:	Nil
Relevant Delegation:	Nil

Delegation from Council DC715

APPOINT DESIGNATED OFFICER – INFORMATION SHARING

Strategic Direction	Community
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>Public Health Act 2016</i>
Delegator:	Council
Express Power to Delegate:	<i>Public Health Act 2016:</i> s.21 Enforcement agency may delegate
Express Power or Duty Delegated:	<i>Public Health Act 2016:</i> s.299 Information sharing
Power or Duty being Delegated:	Authority to appoint Designated Officers for the purposes of s.299 [s.299(1)].
Conditions of Delegation:	Appointments must be consistent with requirements outlined in the Chief Health Officer's Information Sharing Guideline, prepared in accordance with s.300.
Delegated To:	Chief Executive Officer
Express Power to Sub-Delegate:	Nil – Unless a Regulation enacted under <i>the Public Health Act 2016</i> , specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].

Council Adoption	30/06/2026
Reviewed/Modified:	N/A
Relevant Management Practice:	Nil
Relevant Policy:	Nil
Relevant Delegation:	Nil

Delegation from Council DC716

ENFORCEMENT AGENCY REPORTS TO THE CHIEF HEALTH OFFICER

Strategic Direction	Community
Responsible Business Unit/s	Development Services
Responsible Officer	Manager Development Services
Affected Business Unit/s	Development Services

Head of Power:	<i>Public Health Act 2016</i>
Delegator:	Council
Express Power to Delegate:	<i>Public Health Act 2016:</i> s.21 Enforcement agency may delegate
Express Power or Duty Delegated:	<i>Public Health Act 2016:</i> s.22 Reports by and about enforcement agencies
Power or Duty being Delegated:	1. Authority to prepare and provide to the Chief Health Officer, the Local Government's report on the performance of its functions under this Act and the performance of functions by persons employed or engaged by the City [s.22(1)] 2. Authority to prepare and provide to the Chief Health Officer, a report detailing any proceedings for an offence under the <i>Public Health Act 2016</i> [s.22(2)].
Conditions of Delegation:	Nil
Delegated To:	Manager Development Services
Express Power to Sub-Delegate:	Nil – Unless a Regulation enacted under <i>the Public Health Act 2016</i> , specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].

Council Adoption	30/06/2026
Reviewed/Modified:	
Relevant Management Practice:	Nil
Relevant Policy:	Nil

Relevant Delegation:	Nil
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Delegation from Council DC717

GIVE ENFORCEMENT ORDERS AND ISSUE CLEARANCE CERTIFICATES

Strategic Direction	Community
Responsible Business Unit/s	Chief Executive Officer, Development Services
Responsible Officer	Chief Executive Officer
Affected Business Unit/s	Development Services

Head of Power:	<i>Public Health Act 2016</i>
Delegator:	Council
Express Power to Delegate:	<i>Public Health Act 2016:</i> s.21 Enforcement agency may delegate
Express Power or Duty Delegated:	<i>Public Health Act 2016:</i> s.216 Issue of Enforcement Orders s.218 Extension of period of compliance with enforcement order s.223 Certificate of clearance to be given in certain circumstances s.224 Request for assessment
Power or Duty being Delegated:	Authority to: 1. Give an enforcement order [s.216]. 2. Extend the period for compliance specified in the order [s.218]. 3. Give a certificate of clearance (in the Department of Health approved form) where an assessment report of an authorised officer finds the enforcement order has been complied with and there is no longer a serious public health risk to be prevented or mitigated [s.223]. 4. Where requested under s.224, cause an assessment by another authorised officer to be made for the purposes of s.233 (clearance certificate) and give notice of a decision to not give a clearance certificate after assessment [s.224(2)].
Conditions of Delegation:	The content of enforcement orders must comply with s. 217 of the <i>Public Health Act 2016</i> .
Delegated To:	Chief Executive Officer
Express Power to Sub-Delegate:	Nil – Unless a Regulation enacted under the <i>Public Health Act 2016</i> , specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].

Council Adoption	30/06/2026
Reviewed/Modified:	N/A
Relevant Management Practice:	Nil
Relevant Policy:	Nil
Relevant Delegation:	Nil

Delegation from Council DC718

ENFORCEMENT ORDERS – IMPLEMENT AND RECOVER COSTS

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

Head of Power:	<i>Public Health Act 2016</i>
Delegator:	Council
Express Power to Delegate:	<i>Public Health Act 2016:</i> s.21 Enforcement agency may delegate
Express Power or Duty Delegated:	<i>Public Health Act 2016:</i> s.219 Enforcement agency may implement enforcement order s.221 Recovery of costs incurred by or on behalf of enforcement agency
Power or Duty being Delegated:	1. Authority to take any action reasonably necessary to implement sufficient compliance with an enforcement order that has not been complied with [s.219(2)]. 2. Authority to sign a certificate stating the amount of any costs and the manner in which they were incurred as evidence of the matters certified [s.221(2)].
Conditions of Delegation:	Costs incurred in taking action under s.219 are to be recovered, including recovery in a court of competent jurisdiction [s.221(1)].
Delegated To:	Chief Executive Officer
Express Power to Sub-Delegate:	Nil – Unless a Regulation enacted under <i>the Public Health Act 2016</i> , specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].

Council Adoption	30/06/2026
Reviewed/Modified:	
Relevant Management Practice:	Nil
Relevant Policy:	Nil
Relevant Delegation:	Nil

Delegation from Council DC719

DEALING WITH SEIZED ITEMS

Strategic Direction	Community
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>Public Health Act 2016</i>
Delegator:	Council
Express Power to Delegate:	<i>Public Health Act 2016:</i> s.21 Enforcement agency may delegate
Express Power or Duty Delegated:	<i>Public Health Act 2016:</i> s.260 Return of seized item s.262 Cost of destruction or disposal of forfeited items s.263 Return of forfeited items s.264 Compensation
Power or Duty being Delegated:	1. Authority to determine if no contravention of the <i>Public Health Act 2016</i> has occurred and return seized items or forfeited items to the person from whom the items were seized or to any other person who is determined to be entitled to it [s.260 and 263]. 2. Authority to recover the cost of destruction or disposal of forfeited items [s.262]. 3. Authority to, in response to an application for compensation, determine compensation that is just and reasonable in relation to any item seized under Part 16 if there has been no contravention of the Act and the item cannot be returned or has in consequence of the seizure depreciated in value [s.264].
Conditions of Delegation:	Compensation is limited to a maximum value of \$10,000, with any proposal for compensation above this value to be referred for Council's determination.
Delegated To:	Chief Executive Officer

Express Power to Sub-Delegate:	Nil – Unless a Regulation enacted under <i>the Public Health Act 2016</i> , specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].
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Council Adoption	30/06/2026
Reviewed/Modified:	N/A
Relevant Management Practice:	Nil
Relevant Policy:	Nil
Relevant Delegation:	Nil