



## DELEGATIONS REGISTER

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## INTRODUCTION

### BACKGROUND TO DELEGATIONS AND AUTHORISATIONS

- 1.1 The aim of delegations and authorisations is to assist with improving the time taken to make decisions within the constraints imposed by legislation. This is consistent with the City's commitment to a strong customer service focus.
- 1.2 A delegation is where a person or body is appointed to exercise a power or discharge a duty by the person who has the responsibility to exercise that power or duty. In exercising a delegated authority, such appointed person does so "on behalf" of the delegator.
- 1.3 An appointment or authorisation is where a person or body is given permission to perform a specific statutory function in their own right.

### INTERPRETATION – COUNCIL DELEGATING TO CEO

- 1.4 ***In an effort to reduce the bureaucratic impost on Council, it is understood that unless stated otherwise, by virtue of Council resolution to approve this document, all delegations will be from Council to CEO and then sub-delegated unless not allowed at law or requested by Council. This will enable the CEO to make minor operational changes for staff/roles where required without having to seek Council approval. To this end, this Register should be read with this in mind, removing the need to repeat the fact on each individual delegation below, that Council is delegating to the CEO.***

### REQUIREMENTS FOR DELEGATED AUTHORITIES

- 1.5 There are two requirements for a delegation to be effective. These are:
  - 1.5.1 There must be a power to delegate; and
  - 1.5.2 A power to be delegated must exist.
- 1.6 **Power to Delegate**
  - 1.6.1 The power to delegate must be contained within legislation. However, a legislative power to delegate only relates to the powers or duties under the Act which the delegated power is located.<sup>1</sup>
  - 1.6.2 For example, the *Local Government Act 1995* contains powers to delegate (as described below), however it is not possible to rely on this power of delegation, to delegate functions of local government under other legislation. For example, under the *Bush Fires Act 1954* any delegation by a local government can only be delegated by the delegation provisions of that Act.
- 1.7 **Power to be Delegated**

The power to be delegated must be able to be exercised by the person or body that delegated that power. The power must also be contained in the same legislation as the associated power to delegate.

### DELEGATED AUTHORITY UNDER THE LOCAL GOVERNMENT ACT 1995

The *Local Government Act 1995* was introduced on 1 July 1996 and made significant changes to the way local governments' conduct their business. Its general aim was to enable local governments to provide good open and accountable government to the community.

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<sup>1</sup> Taken from Department of Local Government and Communities – Local Government Operational Guidelines – Number 17 – Delegations (Updated 2015)

## DELEGATION BY COUNCIL TO THE CHIEF EXECUTIVE OFFICER UNDER THE LOCAL GOVERNMENT ACT 1995

- 1.1 Section 5.42 of the *Local Government Act 1995* allows for a local government to delegate to the Chief Executive Officer the exercise of any of its powers or the discharge of any of its duties under the Act. All delegations made must be by absolute majority.
- 1.2 Section 5.43 of the *Local Government Act 1995* specifies the decisions which cannot be delegated by Council to the Chief Executive Officer. These are as follows:
  - 1.2.1 any power or duty that requires a decision of an absolute majority or 75% majority of the local government;
  - 1.2.2 accepting a tender which exceeds an amount determined by the local government;
  - 1.2.3 appointing an auditor;
  - 1.2.4 acquiring or disposing of any property valued at an amount determined by the local government;
  - 1.2.5 any of the local government's powers under sections 5.98, 5.98A, 5.99, 5.99A and 5.100 of the *Local Government Act 1995*;
  - 1.2.6 borrowing money on behalf of the local government;
  - 1.2.7 hearing or determining an objection of a kind referred to in section 9.5 of the *Local Government Act 1995*;
  - 1.2.8 any power under section 9.49(4) of the *Local Government Act 1995* to authorise a person to sign documents on behalf of the local government;
  - 1.2.9 any power or duty that requires the approval of the Minister or the Governor; and
  - 1.2.10 such other powers or duties that may be prescribed.

## SUB-DELEGATION BY CHIEF EXECUTIVE OFFICER TO AN EMPLOYEE UNDER THE LOCAL GOVERNMENT ACT 1995

- 1.3 Section 5.44 of the *Local Government Act 1995* allows for the Chief Executive Officer to delegate to an employee any of their powers or the discharge of any of their functions under the Act, other than their power of delegation.
- 1.4 Section 5.44(2) provides that the delegation to an employee is to be in writing and s.5.44 (3) states that the delegation shall be subject to any conditions imposed by the local government on its delegation to the Chief Executive Officer. Section 5.44(4) allows the Chief Executive Officer to place conditions on any delegations under this section.

## SUB-DELEGATION BY THE CHIEF EXECUTIVE OFFICER TO AN EMPLOYEE UNDER OTHER LEGISLATION

- 1.5 Under common law, sub-delegation is only permitted where it is expressly provided for in legislation.
- 1.6 The *Local Government Act 1995*, expressly permits sub-delegation by a Chief Executive Officer, as outlined above.
- 1.7 Numerous pieces of legislation do not specifically refer to a power of delegation. For example, the *Bush Fires Act 1954* does not provide for a CEO to delegate to another employee to exercise the powers delegated by council to the CEO under s.48 of that Act. Therefore, only the CEO may exercise the powers delegated by council to the CEO under that Act.<sup>2</sup>

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<sup>2</sup> Taken from Department of Local Government and Communities – Local Government Operational Guidelines – Number 17 – Delegations (Updated 2015)

## AUTHORISATIONS

Section 9.10 of the *Local Government Act 1995* empowers a local government to appoint authorised persons, however this power of appointment cannot be used to appoint authorised persons to carry out the powers or duties of local government under other legislation. For example, the *Control of Vehicles (Off-Road Areas) Act 1978* only provides for the local government to appoint authorised persons to carry out certain powers and duties. The power to appoint those persons cannot be delegated to the CEO as no powers to delegate exist in that piece of legislation.

## ACTING THROUGH

In addition to covering delegations, the *Local Government Act 1995* introduces the concept of “acting through”. Section 5.45 of the Act states that in relation to delegations, nothing prevents a “local government from performing any of its functions by acting through a person other than the CEO” or “a CEO from performing any of his or her functions by acting through another person.” The Act does not specifically define the meaning of the term “acting through”. However, the key difference between a delegation and “acting through” is that a delegate exercises the delegated decision making function in his or her own right. The principal issue is that where a person has no discretion in carrying out a function, then that function may be taken through the “acting through” concept. Alternatively, where the decision allows for discretion on the part of the decision maker, then that function needs to be delegated for another person to have that authority.<sup>3</sup>

## REGISTER OF DELEGATIONS

- 1.8 Under s.5.46 of the *Local Government Act 1995*, the Chief Executive Officer is to keep a register of the delegations made to the Chief Executive Officer under s.5.42 and employees under s.5.44.
- 1.9 Section 5.46(2) provides that at least once every financial year, delegations are to be reviewed by the delegator.

## RECORD OF DELEGATIONS

- 1.10 Under s.5.46(3) of the *Local Government Act 1995*, delegates who are appointed under the *Local Government Act 1995* are to keep a written record of each occasion on which they exercise the powers or discharge the duties delegated to them.
- 1.11 Regulation 19 of the *Local Government (Administration) Regulations 1996*, states that the record is to contain the following information:
  - 1.11.1 how the person exercised the power or discharged the duty;
  - 1.11.2 when the person exercised the power or discharged the duty; and
  - 1.11.3 the person or classes of persons, other than council or committee members or employees of the local government, directly affected by the exercise of the power or the discharge of the duty.
- 1.12 The relevant record of use has been identified for each delegation, to assist delegates in determining what information to record when exercising a delegation. Note, that there is only a specific requirement in legislation to keep a written record of the exercise of the delegation, where the delegation has been made and exercised under the *Local Government Act 1995*. However, for consistency the same requirements should be followed for delegations made and exercised under other legislation also.

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<sup>3</sup> Paragraph taken from Department of Local Government and Communities – Local Government Operational Guidelines – Number 17 – Delegations (Updated 2015)

## PRIMARY AND ANNUAL RETURNS

A person to whom a power is delegated under the *Local Government Act 1995* is considered to be a 'designated employee' under s.5.74 (b) of the *Local Government Act 1995* and is required to complete a primary return within three months of receiving a delegation. Note that this requirement only applies to delegations under the *Local Government Act 1995*, unless the delegating legislation expressly provides that a requirement to complete a financial return under the provisions of the *Local Government Act* applies. So, for example, an officer with a delegation under the *Dog Act 1976* will not be required to complete a financial return. Officers who completed a primary return at the commencement of their role will be required to complete an annual return relating to the previous financial year by 31 August in each year that they hold that role in accordance with s.5.76 of the *Local Government Act 1995*.

## THIS REGISTER

- 1.13 This register details the related legislation where the power to delegate is derived from, along with the related legislation or documents confirming the power delegated.
- 1.14 This register also states if the relevant delegation can be sub-delegated by the Chief Executive Officer to employees and if so, who the delegations are sub-delegated to.
- 1.15 This register also details authorisations made by Council and Chief Executive Officer and includes where the power to authorise is derived from, along with the related legislation or documents confirming the authorisation.
- 1.16 The appendix to this register details separate "one-off" temporary delegations that have been made to the Chief Executive Officer directly from the local government.
- 1.17 This register will be reviewed in accordance with the *Local Government Act 1995* on an annual basis. The co-ordination of the review will be performed through the Office of the CEO.

## NOTICE TO COUNCIL

Council shall be advised of rejected and accepted tenders and panels of pre-qualified suppliers at the following Ordinary Council Meeting.

## EXECUTION OF DOCUMENTS

This register is consistent with Council's ~~CGGC~~-10 Execution of Documents Policy for documents to be duly executed by either affixing the common seal or without affixing the common seal. Where documents do not require the common seal, the CEO and Directors are authorised to execute legal documents (including Deeds) where they have functional responsibility and appropriate authority as stipulated in this register.

## 1. LOCAL GOVERNMENT ACT 1995

### 1.1 TENDERS & EXPRESSIONS OF INTEREST

**DELEGATED BY:** Council

**DELEGATED TO:** Chief Executive Officer

**POWER/AUTHORITY DELEGATED:** ***Section 3.57 Local Government Act 1995***  
***Part 4 Division 2 - Local Government (Functions & General) Regulations 1996***

1. Authority to invite Expressions of Interest and determine evaluation criteria.
2. Authority to consider Expressions of Interest which have not been rejected or determine those which are capable of providing the goods or services, for listing as acceptable tenderers.
3. Authority to undertake tender exempt procurement in accordance with regulation 11(2) when the consideration involved does not exceed \$1,000,000 (excluding GST). This limit does not apply when exercising regulation 11(2)(j).
4. Authority to invite tenders and determine evaluation criteria.
5. Authority to accept a tender when the consideration involved does not exceed \$500,000 (excluding GST).
6. Authority to not accept any tender.
7. Authority to negotiate minor variations before entry into contract in accordance with regulation 20.
8. Authority to vary a contract or exercise an extension option in accordance with regulation 21A.

**CONDITIONS:**

- There must be an appropriate provision made in the budget unless expenditure is authorised by the Mayor in accordance with section 6.8(1)(c) of the ***Local Government Act 1995***.

- Must be in accordance with Council's CG-12 Purchasing Policy.
- Authority 5. and 6. when exercised, must be reported via an Information Item to Council at its following Ordinary Council meeting.

**SUB-DELEGATED TO:**

~~Director Community Services~~Director Community Experience, Director Corporate & Legal Services, Director Development Services and Director Strategic Projects and Infrastructure.

**CONDITIONS OF SUB-DELEGATION:**

- Sub-delegated to exercise Authority 5, 6, 7 and 8 above, only when the total consideration involved does not exceed \$250,000 (excluding GST) and there is an appropriate provision made in the budget.
- Must be in accordance with the City of Karratha Purchasing Policy.
- Authority 5. and 6. when exercised as per the conditions of this sub-delegation, must be reported via an Information Item to Council at its following Ordinary Council meeting.

**POWER TO DELEGATE:**

**Section 5.42 Local Government Act 1995** – a local government may delegate to the CEO the exercise of any of its powers or any of its duties as specified in s.5.42.

**Section 5.44 Local Government Act 1995** – a CEO may delegate to any employee of the local government the exercise of any of the CEO's powers of the discharge of any of the CEO's duties under this Act.

**Section 5.43(b) Local Government Act 1995** – a local government cannot delegate to the CEO the power to accept a tender which exceeds an amount determined by the local government for the purpose of s.5.43(b).

**REFERENCES:**

CG-12 Purchasing Policy;  
Purchasing Guidelines.

**RECORD OF USE:**

Details of decisions made are to be recorded in writing and retained in the Council record keeping system, along with any evidentiary documents such

as relevant tender documentation. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the ***Local Government (Administration) Regulations 1996*** are met.

**FIRST ADOPTED:** 20/03/2017

**LAST AMENDED:** 30/06/2022

## 1.2 PANEL OF PRE-QUALIFIED SUPPLIERS

<b>DELEGATED BY:</b>	Council
<b>DELEGATED TO:</b>	Chief Executive Officer
<b>POWER/AUTHORITY DELEGATED:</b>	<p><b><i>Part 4 Division 3 - Local Government (Functions &amp; General) Regulations 1996</i></b></p> <ol style="list-style-type: none"><li>1. Authority to decide to establish a panel of pre-qualified suppliers in accordance with regulation 24AC and invite applications to join the panel.</li><li>2. Authority to determine evaluation criteria.</li><li>3. Authority to accept applications to join a panel of pre-qualified suppliers when the consideration involved does not exceed \$500,000 (excluding GST).</li><li>4. Authority to not accept any applications to join a panel of pre-qualified suppliers.</li></ol>
<b>CONDITIONS:</b>	<ul style="list-style-type: none"><li>• There must be an appropriate provision made in the budget.</li><li>• Must be in accordance with Council's CG-12 Purchasing Policy.</li><li>• Authority 3. and 4. when exercised, must be reported via an Information Item to Council at its following Ordinary Council meeting.</li></ul>
<b>REFERENCES:</b>	CG-12 Purchasing Policy; Purchasing Guidelines
<b>POWER TO DELEGATE:</b>	<b><i>Section 5.42 Local Government Act 1995</i></b> – a local government may delegate to the CEO the exercise of any of its powers or any of its duties as specified in s.5.42.
<b>RECORD OF USE:</b>	Details of decisions made are to be recorded in writing and retained in the Council record keeping system, along with any evidentiary documents such

as relevant tender documentation. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the ***Local Government (Administration) Regulations 1996*** are met.

**FIRST ADOPTED:** 20/03/2017

**LAST AMENDED:** 30/06/2022

### 1.3 DISPOSAL OF LOCAL GOVERNMENT PROPERTY

**DELEGATED BY:** Council

**DELEGATED TO:** Chief Executive Officer

**POWER/AUTHORITY DELEGATED:** *Section 3.58 Local Government Act 1995*  
*Regulation 30 Local Government (Functions and General) Regulations 1996*

**Disposal of Property other than an interest in Land:**

1. Authority to dispose of property other than an interest in land that is on the City's Asset Registers where the individual market value of the property to be disposed is less than \$250,000 (excluding GST).

2. Authority to dispose of property other than an interest in land that is not on the City's Asset Registers, up to the value of \$500,000 (excluding GST).

3. Authority to determine tender selection criteria if disposing of property (other than an interest in Land) using a public tender process.

4. Authority to gift or donate property (that is not money or an interest in land) with a maximum cumulative value of \$5,000 (excluding GST).

5. Authority to consider any submissions made before the date specified in the notice if disposing of property (other than an interest in Land) using a local public notice process.

**Disposal of an interest in Land:**

6. Authority to dispose of an interest in Land by way of commercial/community lease or licence where the value of the disposition is less than or equal to \$1,000,000 (excluding GST) per annum.

7. Authority to consider any submissions made before the date specified in the notice if disposing of an interest in Land using a local public notice.

8. Authority to determine tender selection criteria if disposing of Land using a public tender process.

9. Authority to dispose of an interest in Land by way of residential lease.

**SUB-DELEGATED TO:**

~~Director Community Services~~Director Community Experience, Director Corporate & Legal Services, Director Development Services, ~~and~~ Director Strategic Projects and Infrastructure and all Managers of executive management group.

**CONDITIONS:**

- Authority 1. when exercised and exceeds \$150,000 (excluding GST) must be reported via an Information Item to Council at its next Ordinary Council meeting;
- Directors are sub-delegated to exercise Authority 1 and Authority 3 only if the individual market value of the property to be disposed of is less than \$50,000 (excluding GST);
- Managers are sub delegated to exercise Authority 1 only if the market value of the property to be disposed of on the asset registers is less than \$1,000 (excluding GST).
- Directors are sub-delegated to exercise Authority 2 up to the value of \$250,000 excluding GST;
- Director Corporate & Legal Services is sub-delegated to exercise Authority 6 and 9 above; and
- In accordance with section 3.58 of the **Local Government Act 1995** all disposals must be by way of public auction, public tender or local public notice unless the disposal is an exempt disposal under Regulation 30 of the **Local Government (Functions and General) Regulations 1996**.
- For disposals of local government property that are exempt under Regulation 30 of the **Local Government (Functions and General) Regulations 1996** refer to Council's Disposal Policy(s).

**POWER TO DELEGATE:**

**Section 5.42 Local Government Act 1995** – Council may delegate to the CEO.

**Section 5.44 Local Government Act 1995** – a CEO may 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 **Local Government Act 1995**.

**Section 5.43(d) Local Government Act 1995** – a local government cannot delegate to the CEO the power to dispose of any property exceeding an amount determined by a local government for the purpose of s.5.43(d).

**RECORD OF USE:**

Details of decisions made are to be recorded in writing and retained in the Council record keeping system, along with any evidentiary documents such as leases/sale and purchase agreements. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the **Local Government (Administration) Regulations 1996** are met.

**FIRST ADOPTED:**

20/03/2017

**LAST AMENDED:**

30/06/2022

## 1.4 APPOINTMENT OF PERMANENT, TEMPORARY &amp; CASUAL EMPLOYEES

<b>DELEGATED BY:</b>	Chief Executive Officer
<b>DELEGATED TO:</b>	<del>Director Community Services</del> <u>Director Community Experience</u> , Director Corporate & Legal Services, Director Development Services and Director Strategic Projects & Infrastructure.
<b>POWER/AUTHORITY DELEGATED:</b>	<p><b><i>Section 5.36 (3) Local Government Act 1995</i></b></p> <p>1. Authority to appoint suitably qualified persons for permanent, temporary or casual employment.</p> <p>2. Authority to authorise employment conditions of contract.</p> <p><b><i>Section 5.40 Local Government Act 1995</i></b></p> <p>Appointments to be in accordance with the principles affecting employment by local governments.</p> <p><b><i>Section 5.41(g) Local Government Act 1995</i></b></p> <p>Responsible for the employment, management supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees).</p>
<b>CONDITIONS:</b>	<ol style="list-style-type: none"> <li>Positions must include a minimum of 1 week internal advertising;</li> <li>Appointments must be on a like-for-like basis, within approved structure and within budget allocations;</li> <li>The position classification must be equivalent to Coordinator level and below;</li> <li>Appointment of Managers requires the approval of the Chief Executive Officer;</li> <li>All appointments must be in writing including the letter of offer and contract of employment in consultation with Human Resources;</li> <li><del>Casual employees may be appointed for a maximum period of 12 months;</del></li> <li><del>6.</del><u>7.6.</u> Higher duty appointments are not to exceed 6 months, after which time the opportunity must be advertised (at least internally); <u>and</u></li> </ol>

8.7. A position may be downgraded, including terms and conditions of employment and reduction of benefits where no employee is impacted by the change (i.e.: position is vacant).<sup>2</sup>

**REFERENCES:**

City of Karratha Enterprise Agreement;  
City of Karratha Employee Code of Conduct;  
CH-02 – Equal Opportunity Employment in the Workplace Policy; and  
City of Karratha Recruitment & Selection Operational Policies.

**POWER TO DELEGATE:**

***Section 5.42 Local Government Act 1995*** – Council may delegate to the CEO.

***Section 5.44 Local Government Act 1995*** – a CEO may 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 ***Local Government Act 1995***.

**RECORD OF USE:**

Details of decisions made are to be recorded in writing and retained in the Council record keeping system and Human Resources files, along with evidentiary documents such as the recruitment, interview and selection process undertaken to ensure that the requirements of ***Section 5.40 Local Government Act 1995*** are met.

**FIRST ADOPTED:**

20/03/2017

**LAST AMENDED:**

04/05/2023

1.5 REMOVED - AUTHORISATION OF EXPENDITURE

*Removed 29 September 2021 (See [23](#). APPENDIX B - AUTHORISATIONS BY CEO)*

## 1.6 PAYMENTS AND TRANSFERS - LOCAL GOVERNMENT ACCOUNTS

DELEGATED BY:	Chief Executive Officer
DELEGATED TO:	<del>Director Community Services</del> <u>Director Community Experience</u> , Director Development Services, Director Strategic Projects & Infrastructure, Director Corporate & Legal Services; and  Manager Financial Services/CFO, Management Accountant and Corporate Accountant.
POWER/AUTHORITY DELEGATED:	<b><i>Regulation 12 Local Government (Financial Management) Regulations 1996</i></b>  <b><i>Sections 6.7, 6.9 &amp; 6.11 Local Government Act 1995</i></b>  Authority to make payments from the municipal fund and trust fund. This includes transfer to and from the trust fund in accordance with the trusts affected.  This also includes the transfer of funds to and from Reserve accounts as allowed for in the budget.
RECORD OF USE:	Details of decisions made are to be recorded in writing and retained in the Council record keeping system, along with any evidentiary documents. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the <b><i>Local Government (Administration) Regulations 1996</i></b> are met.
POWER TO DELEGATE:	<b><i>Section 5.42 Local Government Act 1995</i></b> – Council may delegate to the CEO.  <b><i>Section 5.44 Local Government Act 1995</i></b> – a CEO may 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 <b><i>Local Government Act 1995</i></b> .
FIRST ADOPTED:	20/03/2017
LAST AMENDED:	30/06/2020

**1.7**      **PAYMENT OF RATES BY AGREEMENT**

<b>DELEGATED BY:</b>	Chief Executive Officer
<b>DELEGATED TO:</b>	Director Corporate & Legal Services; and Manager Financial Services/CFO
<b>POWER/AUTHORITY DELEGATED:</b>	<b><i>Section 6.49 Local Government Act 1995</i></b>  Authority, in cases of hardship, to enter into special payment arrangements with ratepayers for the payment of rates and service charges.
<b>CONDITIONS</b>	Manager Financial Services/CFO may only approve payment arrangements for outstanding amounts up to \$5,000.
<b>RECORD OF USE:</b>	Details of decisions made are to be recorded in writing and retained in the Council record keeping system, along with any evidentiary documents. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the <b><i>Local Government (Administration) Regulations 1996</i></b> are met.
<b>POWER TO DELEGATE:</b>	<b><i>Section 5.42 Local Government Act 1995</i></b> – Council may delegate to the CEO.  <b><i>Section 5.44 Local Government Act 1995</i></b> – a CEO may 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 <b><i>Local Government Act 1995</i></b> .
<b>FIRST ADOPTED:</b>	20/03/2017
<b>LAST AMENDED:</b>	30/06/2021

1.8 WRITE OFF OF MONIES AND SPECIAL ARRANGEMENTS FOR DEBT

**DELEGATED BY:** Chief Executive Officer

**DELEGATED TO:** Director Corporate & Legal Services; and  
Manager Financial Services/CFO

**POWER/AUTHORITY DELEGATED:** *Section 6.12 Local Government Act 1995*

This delegation is specific only to general debtors and not rates or rates service charges. For clarity, this delegation applies to interest that has been applied to accrued rates or service charges.

A debt may only be written off where all necessary measures have been taken to locate / contact the debtor and where costs associated with continued action to recover the debt will outweigh the net value of the debt if recovered by the City.

Authority, in cases of hardship, to enter into special payment arrangements with general debtors for the payment of debts.

**CONDITIONS:**

**Write-offs:**

- CEO may write off money owing to the Council from a debtor up to the sum of \$10,000. If the total collective debt from the same debtor is over \$10,000, the decision must be referred to Council.
- Director Corporate & Legal Services may write off money owing to the Council from a debtor up to the sum of \$5,000.
- Manager Financial Services/CFO may write off money owing from a debtor for an amount up to \$50.

**Special hardship payment arrangements:**

- The Director Corporate & Legal Services can enter into a special hardship payment arrangement with a debtor for the payment of debts.
- The Manager Financial Services/CFO can enter into a special hardship payment arrangement with a debtor for the payment of debts up to \$5,000.

**RECORD OF USE:**

Details of decisions made are to be recorded in writing and retained in the Council record keeping system, along with any evidentiary documents. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the ***Local Government (Administration) Regulations 1996*** are met.

A report is also to be provided to Council disclosing any write offs authorised since the last reporting period.

**POWER TO DELEGATE:**

***Section 5.42 Local Government Act 1995*** – Council may delegate to the CEO.

***Section 5.44 Local Government Act 1995*** – a CEO may 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 ***Local Government Act 1995***.

**FIRST ADOPTED:**

20/03/2017

**LAST AMENDED:**

30/06/2021

## 1.9 POWER TO INVEST

DELEGATED BY:	Chief Executive Officer
DELEGATED TO:	Director Corporate & Legal Services; and Manager Financial Services/CFO, Management Accountant and Corporate Accountant.
POWER/AUTHORITY DELEGATED:	<b><i>Section 6.14(1) Local Government Act 1995</i></b>  Money held in the municipal fund or the trust fund of a local government that is not, for the time being, required by the local government for any other purpose may be invested as trust funds under the <b><i>Trustees Act 1962 Part III</i></b> .
CONDITIONS:	To comply with the <b><i>Local Government (Financial Management) Regulations 1996</i></b> including r.19 – <i>Management of Investments</i> .
REFERENCES:	Policy CF3 – Finance and Investment Strategy
POWER TO DELEGATE:	<b><i>Section 5.42 Local Government Act 1995</i></b> – Council may delegate to the CEO.  <b><i>Section 5.44 Local Government Act 1995</i></b> – a CEO may 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 <b><i>Local Government Act 1995</i></b> .
RECORD OF USE:	Details of decisions made are to be recorded in writing and retained in the Council record keeping system, along with any evidentiary documents. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the <b><i>Local Government (Administration) Regulations 1996</i></b> are met.
FIRST ADOPTED:	20/03/2017
LAST AMENDED:	09/05/2018

## 1.10 CONCESSIONS ON FEES

<b>DELEGATED BY:</b>	Chief Executive Officer
<b>DELEGATED TO:</b>	<p><del>Director Community Services</del><u>Director Community Experience</u>, Director Corporate &amp; Legal Services, Director Development Services and Director Strategic Projects &amp; Infrastructure.</p> <ul style="list-style-type: none"><li>- (Up to \$2,000)</li></ul> <p>Manager Community Facilities</p> <ul style="list-style-type: none"><li>- (Up to \$100)</li></ul> <p>Manager Community Programs</p> <ul style="list-style-type: none"><li>- (Up to \$100)</li></ul> <p>Manager Approvals and Compliance</p> <ul style="list-style-type: none"><li>- (\$100)</li></ul> <p>Manager Airport</p> <ul style="list-style-type: none"><li>- (Up to \$25)</li></ul>
<b>POWER/AUTHORITY DELEGATED:</b>	<p><b><i>Section 6.12(1)(b) Local Government Act 1995</i></b></p> <p><b><i>Section 15(4A) Dog Act 1976</i></b></p> <p><b><i>Schedule 3 Clause 1(4) Cat Regulations 2012</i></b></p> <p><b><i>Regulation 52 Planning and Development Regulations 2009</i></b></p> <p>Authority to provide concession on Council fees as per legislation within conditions.</p>
<b>CONDITIONS:</b>	<p><b><u>**Each Manager's use must be signed off on Fee Waiver Register as per Record of Use below**</u></b></p> <p>CEO may provide up to \$5,000 concession.</p> <p>Directors may provide up to a 100% concession on any fee or \$2,000 towards any fee (whichever is the lesser amount) for Council facilities and services.</p> <p>Manager Community Facilities – Authority to provide concession on fees set by Council for Admission or Court Hire in respect to Karratha Leisureplex, Wickham Recreation Precinct and Roebourne Aquatic Centre only, up to a maximum of \$100.</p> <p>Manager Community Programs – Authority to provide concession on fees set by Council in respect to the Red Earth Arts Precinct, Libraries and Arts Development and Events, up to a maximum of \$100.</p>

Manager Approvals and Compliance – Authority to provide concession on prescribed animal registration fees (in accordance with applicable legislation) in relation to Ranger animal health initiatives currently prescribed at a maximum of \$100.

Manager Airport - Authority to provide concession on fees set by Council for; Visitor's Identification Card Pass (VIC Pass) issued only for City employees visiting or City contractors performing works at the Airport, and for Parking & Ground Transport – Short Term Parking and Long Term Parking only, at the Airport, up to a maximum of \$25.

**REFERENCES:**

- As per annual budget to ensure compliance with *r.26(1)(c) of Local Government (Financial Management) Regulations 1996*.
- **Regulation 52 Planning and Development Regulations 2009** - A local government may waive or refund, in whole or in part, payment of a fee for a planning service.
- **Section 15(4A) Dog Act 1976** – A local government may discount or waive a registration fee prescribed within its district.
- **Schedule 3 Clause 1(4) Cat Regulations 2012** – A local government may reduce or waive a fee payable within its district.

**POWER TO DELEGATE:**

**Section 5.42 Local Government Act 1995** – Council may delegate to the CEO.

**Section 5.44 Local Government Act 1995** – a CEO may 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 **Local Government Act 1995**.

**RECORD OF USE:**

Details of decisions made are to be recorded in writing and retained in the Council record keeping system, along with any evidentiary documents. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the **Local Government (Administration) Regulations 1996** are met.

**FIRST ADOPTED:**

20/03/2017

**LAST AMENDED:**

30/06/2020

**1.11 POWER TO REMOVE AND IMPOUND GOODS**

<b>DELEGATED BY:</b>	Chief Executive Officer
<b>DELEGATED TO:</b>	Manager Asset Maintenance; Manager Approvals and Compliance; Ranger Services Coordinator, Ranger; and Manager Waste, Fleet & Depot.
<b>POWER/AUTHORITY DELEGATED:</b>	<p><b>1. Section 3.39 Local Government Act 1995</b></p> <p>Authority to remove and impound goods from a public place if;</p> <ul style="list-style-type: none"><li>• the goods present a hazard to public safety;</li><li>• the goods obstruct the lawful use of any place; or</li><li>• the goods are located in a place contrary to any local law or regulation.</li></ul> <p>A person may use reasonable force to exercise this power.</p> <p><b>2. Section 3.40A Local Government Act 1995</b></p> <p>Authority to remove, impound and subsequently declare an ‘abandoned vehicle wreck’.</p> <p><i>abandoned vehicle wreck</i> means a vehicle —</p> <ul style="list-style-type: none"><li>• that is not operational; and</li><li>• the owner of which has not been identified by the local government after using all reasonable avenues to do so; and</li><li>• that has a value that is less than prescribed value (currently \$500.)</li></ul> <p><b>3. Part 3, Division 3, Subdivision 4 Local Government Act 1995</b></p> <p>Authority to undertake the functions and duties of local government surrounding impounding and holding goods under, s.3.41, s.3.42, s.3.43, s.3.44, s.3.46 and s.3.48 of the <b>Local Government Act 1995</b>.</p>

<b>CONDITIONS:</b>	When seizing goods, delegated staff must use notices in accordance with Subdivision 4 where appropriate.
<b>POWER TO DELEGATE:</b>	<p><b><i>Section 5.42 Local Government Act 1995</i></b> – Council may delegate to the CEO.</p> <p><b><i>Section 5.44 Local Government Act 1995</i></b> – a CEO may 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 <b><i>Local Government Act 1995</i></b>.</p>
<b>RECORD OF USE:</b>	Details of decisions made are to be recorded in writing and retained in the Council record keeping system, along with any evidentiary documents. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the <b><i>Local Government (Administration) Regulations 1996</i></b> are met.
<b>FIRST ADOPTED:</b>	20/03/2017
<b>LAST AMENDED:</b>	20/03/2017

## 1.12 DISPOSAL OF CONFISCATED OR UNCOLLECTED GOODS

<b>DELEGATED BY:</b>	Chief Executive Officer
<b>DELEGATED TO:</b>	Director Development Services and Director Corporate & Legal Services; Manager Approvals and Compliance; Ranger Services Coordinator; and Manager Waste, Fleet & Depot.
<b>POWER/AUTHORITY DELEGATED:</b>	<p><b>1. Section 3.47(1) Local Government Act 1995</b></p> <p>Authority to sell or otherwise dispose of any goods that have been ordered to be confiscated under s.3.43 of the <b>Local Government Act 1995</b>.</p> <p><b>2. Section 3.47(2) Local Government Act 1995</b></p> <p>Authority to sell or dispose of vehicle two months after notice provided under s.3.40(3) or 7 days after vehicle declared an 'abandoned vehicle wreck'. (Refer both conditions below).</p> <p><b>3. Section 3.47(2a) and (2b) Local Government Act 1995</b></p> <p>Authority to sell or otherwise dispose of any goods that have not been collected within the periods specified in 3.47(2b).</p> <p><b>4. Section 3.47A Local Government Act 1995</b></p> <p>Upon meeting s.3.47A(2) regarding the animal owner, if an impounded animal is ill or injured to such an extent that treating it is not practicable the local government may humanely destroy the animal and dispose of the carcass.</p>
<b>CONDITIONS:</b>	<ul style="list-style-type: none"><li>• The goods must individually be under the value of \$20,000.</li><li>• Any vehicles seized under the provisions of the <b>Control of Vehicles (Off-Road Areas) Act 1978</b> must be disposed of according to the delegations under that legislation.</li></ul>

- Animals seized under the provisions of the Cat or Dog Acts must be dealt with under that respective legislation.

**POWER TO DELEGATE:**

***Section 5.42 Local Government Act 1995*** – Council may delegate to the CEO.

***Section 5.44 Local Government Act 1995*** – a CEO may 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 ***Local Government Act 1995***.

**RECORD OF USE:**

Details of decisions made are to be recorded in writing and retained in the Council record keeping system, along with copies of correspondence with respect to the sale or disposal and any other evidentiary documents. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the ***Local Government (Administration) Regulations 1996*** are met.

**FIRST ADOPTED:**

20/03/2017

**LAST AMENDED:**

20/03/2017

## 1.13 POWER TO REQUIRE CERTAIN THINGS TO BE DONE

DELEGATED BY:	Chief Executive Officer
DELEGATED TO:	Manager Approvals and Compliance; Ranger Services Coordinator, Ranger; Building Coordinator, Senior Building Surveyor, Building Compliance Officer; Principal Planner, Statutory Planning Coordinator, Strategic Planning Coordinator, Senior Planner, Planner, Compliance Officer; Environmental Health Coordinator, Senior Environmental Health Officer, Environmental Health Officer, Environmental Health Assistant; and Technical Services Coordinator.
POWER/AUTHORITY DELEGATED:	<p>1. Authority to issue notices pursuant to <b>s.3.25 Local Government Act 1995</b> and enforce notices pursuant to <b>s.3.26 Local Government Act 1995</b>.</p> <p>2. Authority to carry out works on land not owned by the Council pursuant to <b>s.3.27 Local Government Act 1995</b>.</p>
POWER TO DELEGATE:	<p><b>Section 5.42 Local Government Act 1995</b> – Council may delegate to the CEO.</p> <p><b>Section 5.44 Local Government Act 1995</b> – a CEO may 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 <b>Local Government Act 1995</b>.</p>
RECORD OF USE:	Details of this delegation use are to be recorded in writing and retained, along with any evidentiary documents to ensure that the requirements of Regulation 19 of the <b>Local Government (Administration) Regulations 1996</b> are met.
FIRST ADOPTED:	20/03/2017
LAST AMENDED:	03/04/2023

## 1.14 POWERS OF ENTRY UNDER LOCAL GOVERNMENT ACT

DELEGATED BY:	Chief Executive Officer
DELEGATED TO:	Director Development Services; Manager Approvals and Compliance; Building Coordinator, Senior Building Surveyor, Building Compliance Officer; Compliance Officer; Ranger Services Coordinator, Ranger; and Environmental Health Coordinator, Senior Environmental Health Officer, Environmental Health Officer, Environmental Health Assistant.
POWER/AUTHORITY DELEGATED:	Authority to exercise the functions of local government under <b><i>Powers of Entry - Part 3, Division 3</i></b> of the <b><i>Local Government Act 1995</i></b> .
REFERENCES:	Planning staff utilise powers of entry relevant to their roles under Planning legislation.
POWER TO DELEGATE:	<b><i>Section 5.42 Local Government Act 1995</i></b> – Council may delegate to the CEO. <b><i>Section 5.44 Local Government Act 1995</i></b> – a CEO may 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 <b><i>Local Government Act 1995</i></b> .
RECORD OF USE:	Decisions to enter property are to be recorded in writing and retained in the Council record keeping system, along with any evidentiary documents. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the <b><i>Local Government (Administration) Regulations 1996</i></b> are met.
FIRST ADOPTED:	20/03/2017
LAST AMENDED:	29/08/2022

## 1.15 ROAD MANAGEMENT

<b>DELEGATED BY:</b>	Chief Executive Officer
<b>DELEGATED TO:</b>	Operations Coordinator, Operations Supervisor, Technical Services Coordinator; Senior Engineering Technical Officer;  Manager Asset Maintenance;  Ranger Services Coordinator, Ranger; and  Manager Approvals and Compliance.
<b>POWER/AUTHORITY DELEGATED:</b>	<b><i>Section 3.50 Local Government Act 1995</i></b> <b><i>Section 3.50A Local Government Act 1995</i></b> <b><i>Section 3.51 Local Government Act 1995</i></b> <b><i>Regulation 4 Road Traffic (Events on Roads)</i></b> <b><i>Regulations 1991</i></b>  Authority to temporarily close thoroughfares to vehicles for periods not exceeding four weeks.  Authority to consider applications for the temporary closure of roads for the purpose of conducting events.
<b>POWER TO DELEGATE:</b>	<b><i>Section 5.42 Local Government Act 1995</i></b> – Council may delegate to the CEO.  <b><i>Section 5.44 Local Government Act 1995</i></b> – a CEO may 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 <b><i>Local Government Act 1995</i></b> .
<b>RECORD OF USE:</b>	Details of decisions made are to be recorded in writing and retained in the Council record keeping system, along with any evidentiary documents. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the <b><i>Local Government</i></b> <b><i>(Administration) Regulations 1996</i></b> are met.
<b>FIRST ADOPTED:</b>	20/03/2017
<b>LAST AMENDED:</b>	30/06/2020

## 1.16 COMMENCE PROSECUTIONS

APPOINTMENT FROM:	Chief Executive Officer
APPOINTMENT TO:	<del>Director Community Services</del> <u>Director Community Experience</u> , Director Corporate & Legal Services, Director Development Services and Director Strategic Projects and Infrastructure.
AUTHORISATION:	Unless expressly prohibited by the relevant legislation, authority to commence prosecutions on behalf of the local government under any legislation used to carry out its functions.
CONDITIONS:	Always refer to provisions within the relevant legislation as per s.20(2) of the <b><i>Criminal Procedures Act 2004</i></b> .
POWER TO APPOINT:	<p><b><i>Section 5.42 Local Government Act 1995</i></b> – Council may delegate to the CEO.</p> <p><b><i>Section 5.44 Local Government Act 1995</i></b> – a CEO may 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 <b><i>Local Government Act 1995</i></b>.</p> <p><b><i>Section 20(1) Criminal Procedures Act 2004</i></b> — an authorised person in relation to an offence means a person authorised by a public authority to commence prosecution for the offence.</p> <p><b><i>Section 20(2) Criminal Procedures Act 2004</i></b> - a prosecution for an offence may be commenced by, and only by an authorised person.</p>
RECORD OF USE:	Details of decisions made are to be recorded in writing and retained in the Council record keeping system, along with any evidentiary documents. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the <b><i>Local Government (Administration) Regulations 1996</i></b> are met.
FIRST ADOPTED:	20/03/2017
LAST AMENDED:	20/03/2017

## 1.17 REPRESENT LOCAL GOVERNMENT IN COURT PROCEEDINGS

<b>APPOINTMENT FROM:</b>	Chief Executive Officer
<b>APPOINTMENT TO:</b>	Manager Approvals and Compliance
<b>AUTHORISATION:</b>	Appointed to represent the City of Karratha as Prosecutor under section 172(3) of the <b><i>Criminal Procedure Act 2004</i></b> and section 9.29 of the <b><i>Local Government Act 1995</i></b> .
<b>CONDITIONS:</b>	N/A
<b>POWER TO APPOINT:</b>	<b><i>Section 9.29(2)(b) Local Government Act 1995</i></b> – an employee of the Local Government appointed in writing signed by the CEO to represent the Local Government may represent the Local Government in all respects as though the person were the Local Government.
<b>FIRST ADOPTED:</b>	20/03/2017
<b>LAST AMENDED:</b>	20/03/2017

## 1.18 COMPLAINT INVESTIGATION

DELEGATED BY:	Council
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	<p><b><i>Local Government (Model Code of Conduct) Regulations 2021 – Schedule 1 – 11(3)</i></b></p> <p>Authority to receive complaints and withdrawal of complaints. Authority to assess a complaint, commence an investigation and to oversee an investigation process.</p>
SUB-DELEGATED TO:	Director Corporate & Legal Services
CONDITIONS:	Where the complainant is the Chief Executive Officer, the Director Corporate & Legal Services is authorised.
REFERENCES:	<p><b><i>Section 5.103 Local Government Act 1995</i></b> – Model code of conduct for council members, committee members and candidates and <b><i>Local Government (Model code of Conduct) Regulations 2021 – Sch.1.</i></b></p> <p>The City’s Code of Conduct for Council Members, Committee Member and Candidates.</p> <p>CG-18 Complaint Investigation Policy</p>
RECORD OF USE:	<p>The City will maintain a register of complaints lodged with those person authorised and will be available on the City’s website for public inspection. Details of investigations must be maintained on a central investigation file detailing any documentary evidence or records obtained, and that file is to be maintained in the City’s record keeping system with restricted access to ensure confidentiality. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the <b><i>Local Government (Administration) Regulations 1996</i></b> are met.</p>
FIRST ADOPTED:	19 September 2022
LAST REVIEWED:	19 September 2022

1.19 ACKNOWLEDGEMENT OF RECEIPT OF PRIMARY AND ANNUAL RETURNS

<b><u>DELEGATED BY:</u></b>	<u>Chief Executive Officer</u>
<b><u>DELEGATED TO:</u></b>	<u>Director Corporate &amp; Legal Services</u>
<b><u>POWER/AUTHORITY DELEGATED:</u></b>	<u><b>Section 5.77, Local Government Act 1995</b></u> <u>Authority to provide written acknowledgement of the receipt of Primary and Annual Returns in accordance with section 5.77</u>
<b><u>SUB-DELEGATED TO:</u></b>	<u>Manager Governance and Organisational Strategy</u>
<b><u>CONDITIONS:</u></b>	<u>The extent of authority includes Primary and Annual Returns received from the Mayor, Council Members and all applicable staff.</u>
<b><u>REFERENCES:</u></b>	<u><b>Section 5.77 Local Government Act 1995 – Acknowledging receipt of returns</b></u>
<b><u>RECORD OF USE:</u></b>	<u>Details of decisions made are to be recorded in writing and retained in the Council record keeping system, along with any evidentiary documents. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the <b>Local Government (Administration) Regulations 1996</b> are met.</u>
<b><u>FIRST ADOPTED:</u></b>	<u>NA</u>
<b><u>LAST REVIEWED:</u></b>	<u>NA</u>

## 2. LOCAL LAWS

### 2.1 AUTHORISED PERSONS & SERVICE OF INFRINGEMENTS

<b>AUTHORISATION FROM:</b>	Chief Executive Officer
<b>AUTHORISATION TO:</b>	<p>Manager Approvals and Compliance;</p> <p>Ranger Services Coordinator, Ranger;</p> <p>Building Coordinator, Senior Building Surveyor, Building Compliance Officer;</p> <p>Executive Assistant to the Director – Development Services, Development Services Administration Officer;</p> <p>Environmental Health Coordinator, Senior Environmental Health Officer, Environmental Health Officer, Environmental Health Assistant;</p> <p>Manager Airport, Airport Operations Coordinator, Airport Commercial &amp; Terminal Coordinator, Airport Commercial Officer – Carpark and Terminal, Senior Airport Reporting Officer, Airport Reporting Officer, Airport Compliance &amp; Safety Officer; and</p> <p>Manager Community Facilities.</p>
<b>AUTHORISATION:</b>	<p>Appointed as an “authorised person/officer” and authority to carry out the functions of local government with respect to the following local laws:</p> <ul style="list-style-type: none"><li>• Parking &amp; Parking Facilities Local Law;</li><li>• Fencing Local Law;</li><li>• Cemeteries Local Law;</li><li>• Local Government Property Local Law;</li><li>• Animals, Environment and Nuisance Local Law;</li><li>• Dogs Local Law; and</li><li>• Activities in Thoroughfares &amp; Public Places and Trading Local Law.</li></ul> <p>(For Bush Fire Brigades Local Law delegations, refer <b><i>Bush Fire Act 1954</i></b>).</p> <p>Note, that this extends to the service of infringement notices under s.9.16 of the <b><i>Local Government Act 1995</i></b> but does not include the extension of the</p>

period for payment of a modified penalty under s.9.19 or the withdrawal of an infringement notice under s.9.20.

**CONDITIONS:**

- All staff require certificate as per s.9.10(2) and it is to be produced whenever required.
- The Manager Approvals and Compliance, Executive Assistant to the Director – Development Services, Development Services Administration Officer, Ranger Services Coordinator and Ranger are appointed under all of the local laws listed above.
- The Environmental Health Officer and Environmental Health Coordinator are appointed under the Animals, Environment and Nuisance Local Law, Activities in Thoroughfares & Public Places and Trading Local Law.
- The Building Coordinator, Senior Building Surveyor and Building Compliance Officer are appointed under the Fencing Local Law, Local Government Property Local Law, and Activities in Thoroughfares & Public Places and Trading Local Law only.
- The Manager Community Facilities, Manager Airport, Airport Operations Coordinator, Airport Commercial & Terminal Coordinator, Airport Commercial Officer – Carpark and Terminal, Senior Airport Reporting Officer, Airport Reporting Officer, Airport Compliance & Safety Officer are appointed under the Local Government Property Local Law and Parking & Parking Facilities Local Law only.

**POWER TO AUTHORISE:**

***Section 9.10 Local Government Act 1995*** – the local government may, in writing, appoint persons or classes of persons to be authorised for the purposes of performing particular functions.

**FIRST ADOPTED:**

20/03/2017

**LAST AMENDED:**

29/08/2022

### 3. WITHDRAWAL / MODIFY INFRINGEMENTS

#### 3.1 MODIFY & WITHDRAW INFRINGEMENTS

<b>AUTHORISATION FROM:</b>	Council
<b>AUTHORISATION TO:</b>	Chief Executive Officer; Director Development Services; and Manager Approvals and Compliance.
<b>AUTHORISATION:</b>	<p>Authorisation to withdrawal, extend time to pay or modify infringements as allowed at law under the relevant legislation below:</p> <p><b><i>Animal Welfare Act 2002 – s.67 &amp; 68(1)</i></b></p> <p><b><i>Building Regulations 2012</i></b></p> <p><b><i>Bush Fires Act 1954 – s.59A(5)</i></b> – (Notice sent must be in prescribed form)</p> <p><b><i>Caravan Parks and Camping Grounds Act 1995 – s.23(5) &amp; (7)</i></b></p> <p><b><i>Cat Act 2011 - s.65(1)</i></b> – (Must be within one year after infringement <b><i>issued</i></b> and notice sent must be in prescribed form)</p> <p><b><i>Cemeteries Act 1986 – s.63</i></b> (CEO Only)</p> <p><b><i>Control of Vehicles (Off-Road) Areas Act 1978 – s.37(5)</i></b> – (Notice sent must be in prescribed form)</p> <p><b><i>Dog Regulations 2013 – r.35(5)</i></b></p> <p><b><i>Food Act 2008 – s.126(6) &amp; (7) – (Designated Officer for the purposes of s.126(3)(c) is the CEO)</i></b></p> <p><b><i>Litter Act 1979 – s.30(4)</i></b></p> <p><b><i>Planning and Development Act 2005 – s.230 &amp; 231</i></b></p> <p><b><i>Parking &amp; Parking Facilities Local Law</i></b></p> <p><b><i>Fencing Local Law</i></b></p> <p><b><i>Local Government Property Local Law</i></b></p> <p><b><i>Animals, Environment and Nuisance Local Law</i></b></p> <p><b><i>Activities in Thoroughfares &amp; Public Places and Trading Local Law</i></b></p>
<b>CONDITIONS:</b>	Refer individual authorisations above

<b>POWER TO AUTHORISE:</b>	<i>Section 9.19 &amp; 9.20 Local Government Act 1995</i> <i>Section 64(1)(e) Animal Welfare Act 2002</i> <i>Regulation 70 (1) Building Regulations 2012</i> <i>Section 48(1) Bush Fires Act 1954</i> <i>Section 23(11) Caravan Parks and Camping Grounds Act 1995</i> <i>Section 45 Cat Act 2011</i> <i>Section 10(1) Cemeteries Act 1986</i> <i>Section 37(5) Control of Vehicles (Off-Road) Areas Act 1978</i> <i>Criminal Procedure Act 2004 – s.6(a)</i> <i>Section 10AA Dog Act 1976</i> <i>Section 126(13) Food Act 2008</i> <i>Section 30(4a) Litter Act 1979</i>
<b>RECORD OF USE:</b>	Details of decisions made/functions carried out are to be recorded in writing and retained in the Council record keeping system including copies of any approvals for applications and the like and any other evidentiary documents.
<b>FIRST ADOPTED:</b>	20/03/2017
<b>LAST AMENDED:</b>	20/03/2017

## 4. ANIMAL WELFARE ACT 2002

### 4.1 AUTHORISED PERSON

<b>AUTHORISATION FROM:</b>	Chief Executive Officer
<b>AUTHORISATION TO:</b>	Director Development Services
<b>DELEGATION / AUTHORISATION:</b>	<p>Authorised Person</p> <p><b>Section 64(4) Animal Welfare Act 2002</b> – a person cannot be both an ‘authorised person’ and ‘inspector’.</p> <p>Rangers are generally appointed as ‘Inspectors’ under this legislation and that appointment is made by an external party, <u>not local government</u>.</p>
<b>POWER TO AUTHORISE:</b>	<p><b>Section 64(1)(e) Animal Welfare Act 2002</b> – the chief executive officers of every local government are each to appoint as ‘authorised persons’ as many members of their staff as are required for the purposes of Division 3 of the <b>Animal Welfare Act 2002</b>.</p>
<b>FIRST ADOPTED:</b>	20/03/2017
<b>LAST AMENDED:</b>	20/03/2017

## 5. BUILDING ACT 2011

### 5.1 AUTHORISED PERSONS

<b>DELEGATION FROM:</b>	Chief Executive Officer
<b>DELEGATION TO:</b>	Manager Approvals and Compliance; and Building Coordinator, Senior Building Surveyor and Building Compliance Officer.
<b>DELEGATION:</b>	Appointed as an 'authorised person' for the purposes detailed in the <b><i>Building Act 2011</i></b> and the <b><i>Building Regulations 2012</i></b> (including the inspection of private swimming pools enclosures under regulation 53).
<b>CONDITIONS:</b>	<ul style="list-style-type: none"><li>• Must have ID card and comply with Sections 97 &amp; 98 of the <b><i>Building Act 2011</i></b>.</li><li>• CEO is only person authorised to commence a court prosecution under Section 133(1)(b) of the <b><i>Building Act 2011</i></b>.</li></ul>
<b>POWER TO DELEGATE:</b>	<p><b><i>Section 127(1) Building Act 2011</i></b> – a local government may delegate any of its powers or duties as a permit authority under another provision of this Act.</p> <p><b><i>Section 127(6A) Building Act 2011</i></b> – the CEO of a local government may delegate to any other local government employee a power or duty of the local government that has been delegated to the CEO under this section.</p> <p><b><i>Section 96(3) Building Act 2011</i></b> – a local government may designate a person employed by the local government under the <b><i>Local Government Act 1995</i></b> section 5.36, as an authorised person.</p>
<b>FIRST ADOPTED:</b>	20/03/2017
<b>LAST AMENDED:</b>	29/08/2022

## 5.2 GRANT / REFUSE PERMITS

<b>DELEGATED BY:</b>	Chief Executive Officer
<b>DELEGATED TO:</b>	Director Development Services; Manager Approvals and Compliance; and Building Coordinator and Senior Building Surveyor.
<b>POWER/AUTHORITY DELEGATED:</b>	<p>Authority to carry out all functions of local government / permit authority in relation to <b><i>Building Act 2011</i></b> including:</p> <p><b><i>Section 20</i></b> – grant or refuse building permits.</p> <p><b><i>Section 21</i></b> – grant or refuse demolition permits.</p> <p><b><i>Section 22</i></b> – further grounds to refuse building or demolition permits.</p> <p><b><i>Section 27</i></b> – conditions imposed by permit authority.</p> <p><b><i>Section 58</i></b> – grant of occupancy permit or building approval certificate.</p> <p><b><i>Section 62(1)</i></b> – impose conditions on occupancy permit or modification or building approval certificate.</p> <p><b><i>Section 65(4)</i></b> – extension of period.</p>
<b>REFERENCES:</b>	<b><i>Building Regulations 2012</i></b>
<b>POWER TO DELEGATE:</b>	<p><b><i>Section 127(1) Building Act 2011</i></b> – a local government may delegate any of its powers or duties as a permit authority under another provision of this Act.</p> <p><b><i>Section 127(6A) Building Act 2011</i></b> – the CEO of a local government may delegate to any other local government employee a power or duty of the local government that has been delegated to the CEO under this section.</p>
<b>RECORD OF USE:</b>	Details of decisions made are to be recorded in writing and retained in the Council record keeping system, along with copies of permits granted and any other evidentiary documents.

**FIRST ADOPTED:** 20/03/2017  
**LAST AMENDED:** 29/08/2022

## 5.3 SERVICE OF INFRINGEMENTS

DELEGATION FROM:	Chief Executive Officer
DELEGATION TO:	Manager Approvals and Compliance; Building Coordinator, Senior Building Surveyor, Building Compliance Officer; and Executive Assistant to the Director – Development Services, Development Services Administration Officer.
DELEGATION:	Appointed as an ‘authorised officer’ in relation to the service of infringement notices under <b>Part 2 of the Criminal Procedure Act 2004</b> .
CONDITIONS:	<ul style="list-style-type: none"><li>• Must have a certificate as per Section 9.10 of <b>Local Government Act 1995</b> and be produced whenever required to do so as per Regulation 70(3) of the <b>Building Regulations 2012</b>.</li><li>• CEO is only person authorised to commence a court prosecution under Section 133(1)(b) of the <b>Building Act 2011</b>.</li></ul>
POWER TO DELEGATE:	<b>Regulation 70 (2) Building Regulations 2012</b> – a permit authority that is a local government may, in writing, appoint to be an authorised officer for the purposes of the <b>Criminal Procedure Act 2004</b> section 6(b) a person appointed under the <b>Local Government Act 1995</b> section 9.10(1) and authorised for the purpose of performing functions under section 9.16 of that Act.
FIRST ADOPTED:	20/03/2017
LAST AMENDED:	29/08/2022

## 6. BUSH FIRES ACT 1954

### 6.1 FUNCTIONS OF CEO

<b>DELEGATION FROM:</b>	Council
<b>DELEGATION TO:</b>	Chief Executive Officer
<b>DELEGATION:</b>	Any function or duty of a local government under the <i><b>Bush Fires Act 1954.</b></i>
<b>CONDITIONS:</b>	Cannot be sub-delegated.
<b>POWER TO DELEGATE:</b>	<i><b>Section 48(1) Bush Fires Act 1954</b></i> a local government may delegate to its chief executive officer the performance of any of its functions under this Act.
<b>FIRST ADOPTED:</b>	20/03/2017
<b>LAST AMENDED:</b>	20/03/2017

## 6.2 AUTHORISED OFFICERS

DELEGATION FROM:	Chief Executive Officer
DELEGATION TO:	Manager Approvals and Compliance; and Ranger Services Coordinator and Ranger.
DELEGATION:	<ol style="list-style-type: none"><li>1. Appointed as an 'authorised officer' for the purposes detailed in the <b><i>Bush Fires Act 1954</i></b> and <b><i>Bush Fires Regulations 1954</i></b>.</li><li>2. Authorised to carry out the functions detailed in <b><i>Section 24B Bush Fires Act 1954</i></b>.</li></ol>
CONDITIONS:	<ul style="list-style-type: none"><li>• Only the CEO has authority to perform any of the functions of local government under the <b><i>Bush Fire Brigades Local Law</i></b> however this does not prevent the CEO from performing these duties by acting through another person.</li><li>• Delegations 1 &amp; 2 cannot be sub-delegated under s.48(3).</li></ul>
POWER TO DELEGATE:	<p><b><i>Section 48(1) Bush Fires Act 1954</i></b> a local government may delegate to its chief executive officer the performance of any of its functions under this Act.</p> <p><b><i>Section 24B Bush Fires Act 1954</i></b> a person authorised by local government may require a person to produce permit.</p>
FIRST ADOPTED:	20/03/2017
LAST AMENDED:	11/10/2019

## 6.3 BUSH FIRE CONTROL OFFICERS &amp; FIRE WEATHER OFFICERS

DELEGATION FROM:	Chief Executive Officer
DELEGATION TO:	<p>Robin Davies - Ranger Services Coordinator, Deputy Chief Bush Fire Control Officer (City of Karratha) and Fire Weather Officer;</p> <p>Rajesh Bhardwaj - Ranger and Deputy Fire Weather Officer;</p> <p>Mickael Dequen - Ranger;</p> <p>Renae Wann - Ranger;</p> <p>Kristy Chattaway - Ranger</p> <p>Keith Squibb - Deputy Chief Bush Fire Control Officer (Town of Port Hedland); and</p> <p>Wayne Hatton - Deputy Chief Bush Fire Control Officer (Shire of Ashburton).</p> <p>NB: The Chief Bush Fire Control Officer is the District Officer Central Pilbara Coast (Department of Fire and Emergency Services).</p>
DELEGATION:	<p>Appointed as a Bush Fire Control Officer for the City of Karratha under <b>s.38(1) Bush Fires Act 1954</b>.</p> <p>Appointed (as specified) as Fire Weather Officer and Deputy Fire Weather Officer for the City of Karratha under <b>s.38(8) and s.38(10) Bush Fires Act 1954</b>.</p>
CONDITIONS:	<p>The local government shall cause notice of an appointment made under section 38(1) and sections 38(8) and 38(10) <b>Bush Fires Act 1954</b> to be published at least once in a newspaper circulating in its district in accordance with s.38(2A) and s.38(13). The Bush Fire Control Officer shall be issued with a certificate of appointment (s.38(2E)).</p>
POWER TO DELEGATE:	<p><b>Section 48(1) Bush Fires Act 1954</b> a local government may delegate to its chief executive officer the performance of any of its functions under this Act.</p> <p><b>Section 38(1) Bush Fires Act 1954</b> local government may appoint bush fire control officer.</p>

**Section 38(8) and 38(10) Bush Fires Act 1954** local government may appoint fire weather officer and deputy fire weather officer.

**Section 59(3) Bush Fires Act 1954** local government may delegate authority to bush fire control officer, or other officer, to commence proceedings against any person committing offences against this Act.

**FIRST ADOPTED:** 20/03/2017

**LAST AMENDED:** 15/12/2022

## 6.4      SERVE INFRINGEMENTS &amp; PROSECUTION OF OFFENCES

<b>DELEGATION FROM:</b>	Chief Executive Officer
<b>DELEGATION TO:</b>	Manager Approvals and Compliance; Ranger Services Coordinator, Ranger; and Executive Assistant to the Director – Development Services, Development Services Administration Officer.
<b>DELEGATION:</b>	<ol style="list-style-type: none"><li>1. Authority in relation to prosecution of offences under <b><i>Section 59(3) Bush Fires Act 1954</i></b>.</li><li>2. Authority to serve infringement notices under <b><i>Section 59A Bush Fires Act 1954</i></b>.</li></ol>
<b>POWER TO DELEGATE:</b>	<p><b><i>Section 48(1) Bush Fires Act 1954</i></b> a local government may delegate to its chief executive officer the performance of any of its functions under this Act.</p> <p><b><i>Section 59(3) Bush Fires Act 1954</i></b> local government may delegate authority to bush fire control officer, or other officer, to commence proceedings against any person committing offences against this Act.</p> <p><b><i>Section 59A(2) Bush Fires Act 1954</i></b> prosecutor may serve infringement notice.</p>
<b>CONDITIONS:</b>	Cannot be sub-delegated under s.48(3). Only CEO can appoint.
<b>FIRST ADOPTED:</b>	20/03/2017
<b>LAST AMENDED:</b>	11/10/2019

## 7. CARAVAN PARKS AND CAMPING GROUNDS ACT 1995

### 7.1 AUTHORISED PERSONS AND SERVICE OF INFRINGEMENTS

<b>AUTHORISATION FROM:</b>	Chief Executive Officer
<b>AUTHORISATION TO:</b>	<p>Manager Approvals and Compliance (Authorisation 1 &amp; 2);</p> <p>Ranger Services Coordinator and Ranger (Authorisation 1 &amp; 2);</p> <p>Environmental Health Coordinator, Senior Environmental Health Officer, Environmental Health Officer, Environmental Health Assistant (Authorisation 1 &amp; 2);</p> <p>Building Coordinator and Senior Building Surveyor, (Authorisation 1 &amp; 2);</p> <p>Compliance Officer (Authorisation 1 &amp; 2); and</p> <p>Executive Assistant to the Director – Development Services, Development Services Administration Officer (Authorisation 2 only).</p>
<b>AUTHORISATION:</b>	<ol style="list-style-type: none"><li>1. Appointed as an ‘authorised person’ for all purposes detailed in the <b><i>Caravan Parks and Camping Grounds Act 1995</i></b> and <b><i>Caravan Parks and Camping Grounds Regulations 1997</i></b></li><li>2. Appointed as an ‘authorised person’ for the purpose of serving infringement notices under <b><i>Section 23(2) Caravan Parks and Camping Grounds Act 1995</i></b>.</li></ol>
<b>CONDITIONS:</b>	<ul style="list-style-type: none"><li>• Must have ID card in accordance with s9.10(4) and produce it whenever required as per s.17(1)(b).</li><li>• Only Manager Approvals and Compliance is able to modify or withdraw infringement notice under s.23(5) &amp; (7).</li></ul>
<b>POWER TO AUTHORISE:</b>	<p><b><i>Local Government Act 1995</i></b></p> <p><b>Section 9.10(2) - Appointment of Authorised Persons.</b> The CEO may, in writing appoint persons or classes of persons to be authorised persons for the purposes of one or more specified laws or specified provisions of one or more specified laws.</p>

**REFERENCES:** N/A

**FIRST ADOPTED:** 20/03/2017

**LAST AMENDED:** 29/08/2022

## 8. CAT ACT 2011

## 8.1 REGISTRATION

<b>DELEGATED BY:</b>	Chief Executive Officer
<b>DELEGATED TO:</b>	Executive Assistant to the Director – Development Services, Development Services Administration Officer;  Customer Service Supervisor, Customer Service Officer; and  Library Officer.
<b>DELEGATION:</b>	Manage cat registrations on behalf of the local government in accordance with <b><i>Section 9 of the Cat Act 2011.</i></b>
<b>CONDITIONS:</b>	N/A
<b>POWER TO DELEGATE:</b>	<b><i>Section 44 Cat Act 2011</i></b> – Council may delegate to CEO.  <b><i>Section 45 Cat Act 2011</i></b> - a CEO may 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 another provision of this Act.
<b>RECORD OF USE:</b>	Details of decisions made/functions carried out are to be recorded in writing and retained in the Council record keeping system including copies of any approvals for applications and the like and any other evidentiary documents.
<b>FIRST ADOPTED:</b>	20/03/2017
<b>LAST AMENDED:</b>	04/08/2017

## 8.2 AUTHORISED PERSONS

DELEGATED BY:	Chief Executive Officer
DELEGATION TO:	Manager Approvals and Compliance; Ranger Services Coordinator, Ranger; and Executive Assistant to the Director – Development Services, Development Services Administration Officer (refer conditions).
DELEGATION:	Authorised to perform the functions of an authorised person for the purposes of the <b>Cat Act 2011</b>
CONDITIONS:	<ul style="list-style-type: none"><li>• Must have ID Card in accordance with <b>Local Government Act 1995</b> Section 9.10(4).</li><li>• Executive Assistant to the Director – Development Services, Development Services Administration Officer are an authorised person for the service of infringement notices in accordance with s.62(1) only.</li></ul>
POWER TO DELEGATE:	<b>Local Government Act 1995</b> <b>Section 9.10(2) - Appointment of Authorised Persons.</b> The CEO may, in writing appoint persons or classes of persons to be authorised persons for the purposes of 1 or more specified laws or specified provisions of 1 or more specified laws.
RECORD OF USE:	Details of decisions made/functions carried out are to be recorded in writing and retained in the Council record keeping system along with any relevant evidentiary documentation.
FIRST ADOPTED:	20/03/2017
LAST AMENDED:	30/06/2021

## 8.3 POWERS UNDER CAT ACT 2011

<b>DELEGATED BY:</b>	Council
<b>DELEGATED TO:</b>	Chief Executive Officer
<b>DELEGATION:</b>	Authority to exercise any powers or discharge of any duties of the local government under the <b><i>Cat Act 2011</i></b> .
<b>POWER TO DELEGATE:</b>	<b><i>Section 44 Cat Act 2011</i></b> – Council may delegate to CEO.
<b>RECORD OF USE:</b>	Details of decisions made/functions carried out are to be recorded in writing and retained in the Council record keeping system including copies of any approvals for applications and the like and any other evidentiary documents.
<b>FIRST ADOPTED:</b>	20/03/2017
<b>LAST AMENDED:</b>	20/03/2017

## 9. CEMETERIES ACT 1986

### 9.1 AUTHORISED PERSONS

DELEGATION FROM:	Chief Executive Officer
DELEGATION TO:	Director Corporate & Legal Services; Manager Governance and Organisational Strategy, Customer Service Supervisor; Manager Asset Maintenance; Operations Coordinator, Operations Supervisor; Ranger Services Coordinator, Ranger; and Executive Assistant to the Director – Development Services, Development Services Administration Officer.
DELEGATION:	<p>The Customer Service Supervisor is only appointed in relation to funeral permits under <b>Sections 20 and 21 of the Cemeteries Act 1986</b> and grants of rights of burial under <b>Section 25 of the Cemeteries Act 1986</b>.</p> <p>The Manager Asset Maintenance is only appointed in relation to the following functions:</p> <ul style="list-style-type: none"><li>• issuance of infringement notices under section 63 of the <b>Cemeteries Act 1986</b>;</li><li>• notice of removal or alteration of memorials under sections 31 and 32 of the <b>Cemeteries Act 1986</b>; and</li><li>• approvals and permissions under clauses 7.8, 7.9 and 8.2 of the Cemeteries Local Law 2017.</li></ul> <p>The Operations Coordinator and Operations Supervisor are only appointed in relation to the following functions:</p> <ul style="list-style-type: none"><li>• authorised person; and</li><li>• notice of removal or alteration of memorials under sections 31 and 32 of the <b>Cemeteries Act 1986</b>.</li></ul>

The Ranger Services Coordinator and Ranger are only appointed in relation to the following functions:

- authorised person;
- issuance of infringement notices under section 63 of the **Cemeteries Act 1986**; and
- notice of removal or alteration of memorials under sections 31 and 32 of the **Cemeteries Act 1986**.

Executive Assistant to the Director – Development Services and the Development Services Administration Officer are only appointed in relation to the following functions:

- issuance of infringement notices under section 63 of the **Cemeteries Act 1986**.

The Director Corporate & Legal Services and Manager Governance and Organisational Strategy are authorised to exercise all of the functions of the City and the CEO under the **Cemeteries Act 1986** and the **Cemeteries Local Law 2017**, EXCEPT for the issuance and withdrawal of infringement notices.

The Chief Executive Officer, in addition to his general powers to exercise all of the functions of the City and the CEO under the **Cemeteries Act 1986** and the **Cemeteries Local Law 2017**, is the only person authorised to withdraw infringement notices under section 63 of the **Cemeteries Act 1986**.

**CONDITIONS:**

As offences are against local laws, Local Law Certificate under s.9.10(2) of the **Local Government Act 1995** is required if issuing infringements.

**POWER TO DELEGATE:**

**Cemeteries Act 1986** - Section 6-  
Local Governments to perform functions of the board

**Section 10(1) Cemeteries Act 1986** – A Board may appoint such employees, either full time or part

time, as it considers necessary to enable it to carry out its functions.

***Local Government Act 1995***

**Section 9.10(2) - Appointment of Authorised Persons.** The CEO may, in writing appoint persons or classes of persons to be authorised persons for the purposes of 1 or more specified laws or specified provisions of 1 or more specified laws.

***Clause 2.1 Cemeteries Local Law 2017*** – Subject to any directions given by the Council, the CEO shall exercise all the powers and functions of the local government in respect of the cemetery.

**REFERENCES:**

City of Karratha Cemeteries Local Law 2017

**FIRST ADOPTED:**

20/03/2017

**LAST AMENDED:**

30/06/2021

## 10. CONTROL OF VEHICLES (OFF-ROAD AREAS) ACT 1978

### 10.1 AUTHORISED OFFICERS

<b>AUTHORISATION FROM:</b>	Chief Executive Officer
<b>AUTHORISATION TO:</b>	Director Development Services; Manager Approvals and Compliance; Ranger Services Coordinator; Ranger; and Executive Assistant to the Director - Development Services, Development Services Administration Officer.
<b>AUTHORISATION:</b>	Appointed as an 'authorised officer' for the purposes detailed in the <b><i>Control of Vehicles (Off-Road Areas) Act 1978</i></b> and <b><i>Control of Vehicles (Off-Road Areas) Regulations 1979</i></b> , including the service of infringement notices under s.37(1) but with the exception of withdrawing infringement notices under s.37(5).
<b>CONDITIONS:</b>	Must have ID Card in accordance with <b><i>Local Government Act 1995</i></b> Section 9.10(4).
<b>POWER TO AUTHORISE:</b>	<b><i>Local Government Act 1995</i></b> <b>Section 9.10(2) - Appointment of Authorised Persons.</b> The CEO may, in writing appoint persons or classes of persons to be authorised persons for the purposes of one or more specified laws or specified provisions of one or more specified laws.
<b>FIRST ADOPTED:</b>	20/03/2017
<b>LAST AMENDED:</b>	30/06/2021

## 10.2 DETENTION OF VEHICLES

<b>AUTHORISATION FROM:</b>	Council
<b>AUTHORISATION TO:</b>	Chief Executive Officer; Director Development Services; and Manager Approvals and Compliance.
<b>AUTHORISATION:</b>	<b><i>Section 42 Control of Vehicles (Off-Road Areas) Act 1978</i></b>  Disposal of detained vehicles in accordance with s42(2). Prescribed period for this section is 3 months under the regulations.
<b>CONDITIONS:</b>	N/A
<b>POWER TO AUTHORISE:</b>	<b><i>Control of Vehicles (Off-Road Areas) Act 1978</i></b> Section 5 – Local Government Functions
<b>FIRST ADOPTED:</b>	30/06/2021
<b>LAST AMENDED:</b>	30/06/2021

## 11. DOG ACT 1976

## 11.1 REGISTRATION

<b>DELEGATED BY:</b>	Chief Executive Officer
<b>DELEGATED TO:</b>	Manager Approvals and Compliance; Customer Service Supervisor, Customer Service Officer; Executive Assistant to the Director – Development Services, Development Services Administration Officer; Library Officer; and Ranger Services Coordinator, Ranger.
<b>POWER/AUTHORITY DELEGATED:</b>	Administration of dog registrations on behalf of the local government in accordance with <b>Sections 14 &amp; 16 of the Dog Act 1976</b> and the <b>Dog Regulations 2013</b> . (No certificate required as no power being exercised.)
<b>CONDITIONS:</b>	As ‘Registration Officers’ City of Karratha Ranger staff will undertake any field tasks associated with registration that require exercise of a power or duty under the <b>Dog Act 1976</b> .
<b>POWER TO DELEGATE:</b>	<b>Section 10AA(1) Dog Act 1976</b> – a local government may, by absolute majority, delegate to its chief executive officer any power or duty of the local government under another provision of this Act. <b>Section 10AA(3) Dog Act 1976</b> – the delegation may expressly authorise the delegate to further delegate the power or duty.
<b>RECORD OF USE:</b>	Details of decisions made/functions carried out are to be recorded in writing and retained in the Council record keeping system including copies of any approvals for applications and the like, and any other evidentiary documents.
<b>FIRST ADOPTED:</b>	20/03/2017
<b>LAST AMENDED:</b>	30/06/2022

## 11.2 AUTHORISED PERSONS

DELEGATED BY:	Chief Executive Officer
DELEGATED TO:	Refer below
POWER/AUTHORITY DELEGATED:	Authorised to perform the functions of an authorised person for the purposes of the <b><i>Dog Act 1976</i></b>
CONDITIONS:	<ul style="list-style-type: none"><li>• Must have ID card in accordance with <b><i>Local Government Act 1995</i></b> Section 9.10(4).</li><li>• Executive Assistant to the Director – Development Services, Development Services Administration Officer are an authorised person for the service of infringement notices under regulation 35(1) only.</li></ul>
DELEGATED TO:	<p><b>1. Authorised Person</b></p> <p>The following officers are delegated the authority to act as an authorised person for the purposes detailed in the <b><i>Dog Act 1976</i></b> and <b><i>Dog Regulations 2013</i></b> with the exception of the power to withdraw infringement notices. This extends to the functions of an ‘authorised person’ under the Dogs Local Law with the exception of the functions under section 7.6 relating to infringement notices:</p> <p>Manager Approvals and Compliance;</p> <p>Ranger Services Coordinator and Ranger.</p> <p><b>2. Service of infringement notices</b></p> <p>The following officers are authorised persons for the services of infringement notices in accordance with r.35(1) of the <b><i>Dog Regulations 2013</i></b>:</p> <p>Ranger Services Coordinator and Ranger;</p> <p>Manager Approvals and Compliance, Executive Assistant to the Director – Development Services, Development Services Administration Officer.</p>
POWER TO DELEGATE:	<b><i>Section 10AA(1) Dog Act 1976</i></b> – a local government may, by absolute majority, delegate to its chief

executive officer any power or duty of the local government under another provision of this Act.

**Section 10AA(3) Dog Act 1976** – the delegation may expressly authorise the delegate to further delegate the power or duty.

**RECORD OF USE:**

Details of decisions made/functions carried out are to be recorded in writing and retained in the Council record keeping system including copies of any approvals for applications and the like and any other evidentiary documents.

**FIRST ADOPTED:**

20/03/2017

**LAST AMENDED:**

30/06/2021

## 11.3 POWERS UNDER DOG ACT 1976

<b>DELEGATED BY:</b>	Council
<b>DELEGATED TO:</b>	Chief Executive Officer
<b>POWER/AUTHORITY DELEGATED:</b>	Authority to exercise any powers or discharge of any duties of the local government under the <b><i>Dog Act 1976</i></b> .
<b>POWER TO DELEGATE:</b>	<b><i>Section 10AA(1) Dog Act 1976</i></b> – a local government may, by absolute majority, delegate to its chief executive officer any power or duty of the local government under another provision of this Act.
<b>RECORD OF USE:</b>	Details of decisions made/functions carried out are to be recorded in writing and retained in the Council record keeping system including copies of any approvals for applications and the like, and any other evidentiary documents.
<b>FIRST ADOPTED:</b>	20/03/2017
<b>LAST AMENDED:</b>	20/03/2017

## 11.4 KENNEL REGISTRATION

DELEGATED BY:	Chief Executive Officer
DELEGATED TO:	Refer below
POWER/AUTHORITY DELEGATED:	Authorised to perform the functions of a local government for the purposes of the <b><i>Dog Act 1976</i></b>
CONDITIONS:	N/A
DELEGATED TO:	<p><b>1. Licensing of Approved Kennel Establishments</b></p> <p>The following officers are delegated the authority to grant a licence to keep an approved kennel establishment under <b><i>Section 27 Dog Act 1976</i></b> and Part 4 of the <i>Dogs Local Law</i>:</p> <p>Manager Approvals and Compliance; and Ranger Services Coordinator.</p> <p><b>2. Limitation as to numbers</b></p> <p>The following officer is delegated the authority to determine applications for the keeping of three or more dogs on a premises in accordance with <b><i>Section 26 Dog Act 1976</i></b> and Part 3 of the <i>Dogs Local Law</i>:</p> <p>Director Development Services (no cert required).</p> <p>Manager Approvals and Compliance (no cert required).</p>
POWER TO DELEGATE:	<p><b><i>Section 10AA(1) Dog Act 1976</i></b> – a local government may, by absolute majority, delegate to its chief executive officer any power or duty of the local government under another provision of this Act.</p> <p><b><i>Section 10AA(3) Dog Act 1976</i></b> – the delegation may expressly authorise the delegate to further delegate the power or duty.</p>
RECORD OF USE:	Details of decisions made/functions carried out are to be recorded in writing and retained in the Council record keeping system including copies of any

approvals for applications and the like and any other evidentiary documents.

**FIRST ADOPTED:** 20/03/2017

**LAST AMENDED:** 30/06/2021

## 12. EMERGENCY MANAGEMENT ACT 2005

### 12.1 EMERGENCY MANAGEMENT DIRECTION POWERS

<b>DELEGATED BY:</b>	Chief Executive Officer
<b>DELEGATED TO:</b>	Manager Approvals and Compliance; and Ranger Services Coordinator, Ranger.
<b>POWER/AUTHORITY DELEGATED:</b>	Authority to exercise the powers of local government under <b><i>Sections 46 - 48 Emergency Management Act 2005.</i></b>
<b>CONDITIONS:</b>	N/A
<b>POWER TO DELEGATE:</b>	<b><i>Section 36 Emergency Management Act 2005</i></b> – It is a function of a local government –  (a) subject to this Act, to ensure that effective local emergency management arrangements are prepared and maintained for its district;  (b) to manage recovery following an emergency affecting the community in its district; and  (c) to perform other functions given to the local government under this Act.
<b>RECORD OF USE:</b>	Details of decisions made are to be recorded in writing and retained in the Council record keeping system, along with copies of notices issued and any other evidentiary documents.
<b>FIRST ADOPTED:</b>	20/03/2017
<b>LAST AMENDED:</b>	11/10/2019

## 13. FOOD ACT 2008

## 13.1 AUTHORISED OFFICERS

<b>AUTHORISATION FROM:</b>	Chief Executive Officer
<b>AUTHORISATION TO:</b>	Manager Approvals and Compliance; and Environmental Health Coordinator, Senior Environmental Health Officer, Environmental Health Officer.
<b>AUTHORISATION:</b>	<ol style="list-style-type: none"><li>1. Appointed as an ‘authorised officer’ for the purposes detailed in the <b><i>Food Act 2008</i></b>.</li><li>2. Appointed as a ‘designated officer’ for the purposes of serving infringements as per s.126(2) of the <b><i>Food Act 2008</i></b>.</li></ol>
<b>CONDITIONS:</b>	Certificate of Authority required as prescribed under s.123(2) of the <b><i>Food Act 2008</i></b> .
<b>REFERENCES:</b>	In relation to whom receives payment of modified penalties, the ‘ <i>designated officer</i> ’ for the purposes of s.126(3)(c) is the Chief Executive Officer.
<b>POWER TO AUTHORISE:</b>	<b><i>Section 122(1) Food Act 2008</i></b> – an enforcement agency may appoint a person to be an ‘authorised officer’.  <b><i>Section 126(13) Food Act 2008</i></b> – An enforcement agency may designate authorised officers to be designated officers.
<b>FIRST ADOPTED:</b>	20/03/2017
<b>LAST AMENDED:</b>	11/10/2019

## 13.2 ORDERS, NOTICES AND REGISTRATION

<b>DELEGATED BY:</b>	Chief Executive Officer
<b>DELEGATED TO:</b>	Director Development Services; and Manager Approvals and Compliance, Environmental Health Coordinator and Senior Environmental Health Officer (4 only).
<b>POWER/AUTHORITY DELEGATED:</b>	<ol style="list-style-type: none"><li><b>Section 65(1) Food Act 2008</b> Authority to serve a prohibition order on the proprietor of a food business in accordance with s.65(1).</li><li><b>Section 66 Food Act 2008</b> Authority to give a certificate of clearance in accordance with s.66.</li><li><b>Section 67(4) Food Act 2008</b> Authority to provide written notification in accordance with s.67(4).</li><li><b>Section 110(5) &amp; 112(1) Food Act 2008</b> Grant, with or without conditions, or refuse registration of food business.  Vary conditions or cancel registration of food business.</li></ol>
<b>CONDITIONS:</b>	<ul style="list-style-type: none"><li>Subject to s.118(3) &amp; (4) and s.125 of the <b>Food Act 2008</b>.</li><li>Only CEO and Director Development Services may initiate court proceedings for a breach of <b>Food Act 2008</b>.</li></ul>
<b>POWER TO DELEGATE:</b>	<b>Section 118(2)(b) Food Act 2008</b> - a function conferred or imposed on a local government (as enforcement agency) may be delegated.
<b>RECORD OF USE:</b>	Details of decisions made are to be recorded in writing and retained in the Council record keeping system, along with copies of orders, certificates and any other evidentiary or supporting documents.
<b>FIRST ADOPTED:</b>	20/03/2017
<b>LAST AMENDED:</b>	30/06/2020

**14. GAMING AND WAGERING COMMISSION ACT 1987****14.1 CERTIFICATION OF LOCAL GOVERNMENT AUTHORITY**

<b>AUTHORISATION FROM:</b>	Council
<b>AUTHORISATION TO:</b>	Chief Executive Officer; Director Development Services; Manager Approvals and Compliance; Environmental Health Coordinator, Senior Environmental Health Officer and Environmental Health Officer (Authorisation 1 only); and Principal Planner, Senior Planner, Planner (Authorisation 2 only).
<b>AUTHORISATION:</b>	<ol style="list-style-type: none"><li>1. Authorised to issue certification under <b><i>Section 55(3)(a) Gaming and Wagering Commission Act 1987.</i></b></li><li>2. Authorised to issue certification under <b><i>Section 55(3)(b) Gaming and Wagering Commission Act 1987.</i></b></li></ol>
<b>CONDITIONS:</b>	CEO cannot sub-delegate.
<b>POWER/DUTY:</b>	<b><i>Section 9.49A Local Government Act 1995</i></b> – A local government may, by resolution, authorise the CEO, another employee or agent of the local government to sign documents on behalf of the local government.
<b>FIRST ADOPTED:</b>	20/03/2017
<b>LAST AMENDED:</b>	30/06/2022

## 15. GRAFFITI VANDALISM ACT 2016

### 15.1 POWERS UNDER GRAFFITI VANDALISM ACT 2016

<b>DELEGATED BY:</b>	Chief Executive Officer
<b>DELEGATED TO:</b>	<del>Director Community Services</del> <u>Director Strategic Projects and Infrastructure</u> ; and Manager <del>Liveability</del> <u>Waste, Fleet and Depot</u> .
<b>POWER/AUTHORITY DELEGATED:</b>	<b><i>Section 17(1) Graffiti Vandalism Act 2016</i></b> - Authority to exercise any powers or discharge of any duties of the local government under another provision of Part 3 – Local government powers.
<b>CONDITIONS:</b>	<ul style="list-style-type: none"><li>• Does not include power of further delegation.</li><li>• Refer s.18(3) and s.21 if issuing notices under s.18(2).</li></ul>
<b>POWER TO DELEGATE:</b>	<b><i>Section 16(1) Graffiti Vandalism Act 2016</i></b> – The local government may delegate to its CEO the exercise of any of its powers or the discharge of any of its duties under another provision of this Part.  <b><i>Section 17(1) Graffiti Vandalism Act 2016</i></b> – a CEO may delegate to any employee of the local government the exercise of any of the CEO’s powers or discharge of any of the CEO’s duties under another provision of this Part other than the power of delegation.
<b>RECORD OF USE:</b>	Details of decisions made are to be recorded in writing and retained in the Council record keeping system including any supporting documentation.
<b>FIRST ADOPTED:</b>	20/03/2017
<b>LAST AMENDED:</b>	30/06/2022

**16. HEALTH (MISCELLANEOUS PROVISIONS) ACT 1911****16.1 ACT ON BEHALF OF LOCAL GOVERNMENT**

<b>DELEGATED BY:</b>	Chief Executive Officer
<b>DELEGATED TO:</b>	Manager Approvals and Compliance; and Environmental Health Coordinator, Senior Environmental Health Officer, Environmental Health Officer.
<b>POWER/AUTHORITY DELEGATED:</b>	<p>In respect to Parts IV, V, VI, VII, VIII and IX of the <b><i>Health (Miscellaneous Provisions) Act 1911</i></b>, all associated regulations and, where applicable, the Health Local Law 2012, the local government will deputise the Manager Approvals and Compliance to act on its behalf.</p> <p>In respect to <b><i>Section 107 Health (Miscellaneous Provisions) Act 1911</i></b>, and regulations 4 and 10 of the <b><i>Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974</i></b> the local government will deputise the Environmental Health Coordinator and Environmental Health Officer to approve the construction or installation of apparatus for the treatment of sewage and grant permits to use apparatus for the treatment of sewage.</p>
<b>CONDITIONS:</b>	N/A
<b>REFERENCES:</b>	<b><i>Health Local Law 2012</i></b> <b><i>Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974</i></b>
<b>POWER TO DELEGATE:</b>	<b><i>Section 26 Health (Miscellaneous Provisions) Act 1911</i></b> – a local government may appoint and authorise any person to be its deputy to exercise and discharge all or any of the powers and functions of the local government. <b><i>Section 358 Health (Miscellaneous Provisions) Act 1911</i></b> – commence proceedings for the prosecution

of offences and recovery of penalties under the ***Health (Miscellaneous Provisions) Act 1911*** or Health Local Law 2012.

**RECORD OF USE:**

Details of decisions made/functions carried out are to be recorded in writing and retained in the Council record keeping system including copies of any approvals for applications and the like and any other evidentiary documents.

**FIRST ADOPTED:**

20/03/2017

**LAST AMENDED:**

30/06/2022

17. REDACTED – FORMERLY LAND ADMINISTRATION ACT 1997

Removed 29/06/2018

**18. LIQUOR CONTROL ACT 1988****18.1 CERTIFICATE OF LOCAL GOVERNMENT APPROVAL**

<b>AUTHORISATION FROM:</b>	Council
<b>AUTHORISATION TO:</b>	Chief Executive Officer; Director Development Services; Manager Approvals and Compliance; Environmental Health Coordinator, Senior Environmental Health Officer, Environmental Health Officer and Building Coordinator (Authorisation 1 only); and Principal Planner, Senior Planner, and Planner (Authorisation 2 only).
<b>AUTHORISATION:</b>	Authorised on behalf of the local government for the purposes of: <ol style="list-style-type: none"><li>1. signing Certificate of Local Government under <b>Section 39 Liquor Control Act 1988</b> and</li><li>2. signing Certificate of Local Planning Authority under <b>Section 40 Liquor Control Act 1988</b>.</li></ol>
<b>CONDITIONS:</b>	N/A
<b>POWER TO AUTHORISE:</b>	<b>Section 9.49A Local Government Act 1995</b> – A local government may, by resolution, authorise the CEO, another employee or agent of the local government to sign documents on behalf of the local government.
<b>FIRST ADOPTED:</b>	20/03/2017
<b>LAST AMENDED:</b>	30/06/2022

## 19. LITTER ACT 1979

## 19.1 AUTHORISED PERSONS &amp; SERVICE OF INFRINGEMENTS

<b>AUTHORISATION FROM:</b>	Chief Executive Officer
<b>AUTHORISATION TO:</b>	Manager Approvals and Compliance; Ranger Services Coordinator, Ranger; Executive Assistant to the Director – Development Services, Development Services Administration Officer; and Airport Commercial & Terminal Coordinator.
<b>AUTHORISATION:</b>	‘Authorised officers’ for the purposes detailed in the <b><i>Litter Act 1979</i></b> and <b><i>Litter Regulations 1981</i></b> .
<b>CONDITIONS:</b>	N/A
<b>POWER TO AUTHORISE:</b>	<b><i>Section 26 (1)(c)(ii) Litter Act 1979</i></b> – an ‘authorised officer’ is any person who is an employee of the local government. <b><i>Section 27AA Litter Act 1979</i></b> – a local government may appoint a person to be an honorary inspector to assist in the serving of infringement notices relating to offences prescribed for the purposes of s.30.
<b>FIRST ADOPTED:</b>	20/03/2017
<b>LAST AMENDED:</b>	01/12/2022

## 20. PLANNING AND DEVELOPMENT ACT 2005

### 20.1 POWERS OF ENTRY

<b>AUTHORISATION FROM:</b>	Chief Executive Officer
<b>AUTHORISATION TO:</b>	Director Development Services; Manager Approvals and Compliance; and Principal Planner, Statutory Planning Coordinator, Strategic Planning Coordinator, Senior Planner, Planner, Compliance Officer.
<b>AUTHORISATION:</b>	Authority to, for the purpose of monitoring whether the local planning scheme is being complied with, at any reasonable time and with any assistance reasonably required, enter any building or land in the Scheme area and inspect the building or land and anything in or on the building or land.  <b><i>Schedule 2 Part 10 Section 79(2) Planning and Development (Local Planning Schemes) Regulations 2015</i></b>
<b>CONDITIONS:</b>	N/A
<b>POWER TO AUTHORISE:</b>	<b><i>Schedule 2 Part 10 Section 79(1) of the Planning and Development (Local Planning Schemes) Regulations 2015</i></b> – the CEO may, by instrument in writing, designate an officer of the local government as an authorised officer for the purposes detailed in s.79 of the <b><i>Planning and Development (Local Planning Schemes) Regulations 2015</i></b> .
<b>FIRST ADOPTED:</b>	20/03/2017
<b>LAST AMENDED:</b>	03/04/2023

**20.2**      DEVELOPMENT APPLICATION APPROVALS

<b>DELEGATED BY:</b>	Chief Executive Officer
<b>DELEGATED TO:</b>	Director Development Services; Manager Approvals and Compliance; and Principal Planner, Statutory Planning Coordinator, Strategic Planning Coordinator, Senior Planner, Planner.
<b>POWER/AUTHORITY DELEGATED:</b>	Authority to determine and manage applications for development approval under <b>Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015</b> .
<b>CONDITIONS:</b>	<ul style="list-style-type: none"><li>• Determinations must be in accordance with Council Policies and Directorate operational instructions.</li><li>• Transient workforce accommodation within 20 kilometres of all gazetted townships shall be determined by Council where the proposal does not fall within a transient workforce accommodation zone and includes the provision of 16 or more beds.</li><li>• Senior Planner and Planner restricted to determination of 'Applications for Single House / Outbuilding Residential Design Codes Variations' only.</li></ul>
<b>REFERENCES:</b>	<b>Regulation 10(4) of the Planning and Development (Local Planning Schemes) Regulations 2015</b> – the provisions in Schedule 2 are applicable to all local planning schemes, whether or not they are incorporated into the local planning scheme text.

**POWERS TO DELEGATE:**

**Schedule 2 Part 10 Division 2 Section 82 of the *Planning and Development (Local Planning Schemes) Regulations 2015*** - the local government may, by an absolute majority resolution, delegate to a committee or to the local government CEO the exercise of any of the local government's powers or the discharge of any of the local government's duties under the *City of Karratha Town Planning Scheme No. 8*.

**Schedule 2 Part 10 Division 2 Section 83 of the *Planning and Development (Local Planning Schemes) Regulations 2015*** - local government CEO may 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 functions under the *City of Karratha Town Planning Scheme* or ***Planning and Development (Local Planning Schemes) Regulations 2015*** as applicable.

**RECORD OF USE:**

Details of decisions made are to be recorded in writing and retained in the Council record keeping system, along with any evidentiary documents. Such records/documents must contain sufficient information to ensure that the requirements of ***Regulation 19 of the Local Government (Administration) Regulations 1996*** are met.

**FIRST ADOPTED:**

20/03/2017

**LAST AMENDED:**

03/04/2023

## 20.3 UNAUTHORISED DEVELOPMENT

<b>DELEGATED BY:</b>	Chief Executive Officer
<b>DELEGATED TO:</b>	Director Development Services; and Manager Approvals and Compliance.
<b>POWER/AUTHORITY DELEGATED:</b>	<b><i>Section 214 (2), (3) and (5) Planning and Development Act 2005</i></b> - Authority to issue written directions under the above sections.
<b>REFERENCES:</b>	<b><i>Regulation 10(4) of the Planning and Development (Local Planning Schemes) Regulations 2015</i></b> – the provisions in Schedule 2 are applicable to all local planning schemes, whether or not they are incorporated into the local planning scheme text.
<b>POWER TO DELEGATE:</b>	<b><i>Section 5.42 Local Government Act 1995</i></b> – Council may delegate to the CEO exercise of any of its powers or the discharge of any of its duties under the <b><i>Planning and Development Act 2005 Section 214(2), (3) or (5)</i></b> .  <b><i>Section 5.44 Local Government Act 1995</i></b> – a CEO may 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 <b><i>Local Government Act 1995</i></b> .
<b>RECORD OF USE:</b>	Details of decisions made are to be recorded in writing and retained in the Council record keeping system, along with any evidentiary documents, to ensure that the requirements of Regulation 19 of the <b><i>Local Government (Administration) Regulations 1996</i></b> are met.
<b>FIRST ADOPTED:</b>	20/03/2017
<b>LAST AMENDED:</b>	29/06/2018

## 20.4      STRUCTURE, ACTIVITY CENTRE AND LOCAL DEVELOPMENT PLANS

<b>DELEGATED BY:</b>	Chief Executive Officer
<b>DELEGATED TO:</b>	Director Development Services; Manager Approvals and Compliance; and Principal Planner, Statutory Planning Coordinator, Strategic Planning Coordinator.
<b>POWER/AUTHORITY DELEGATED:</b>	To make recommendations and/or determinations for management of Structure, Activity Centre, and Local Development Plans under <b>Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015</b> .
<b>CONDITIONS:</b>	Determinations must be in accordance with Council Policies, Resolutions and Directorate operational instructions.
<b>POWER TO DELEGATE:</b>	<p><b>Schedule 2 Part 10 Division 2 Section 82 of the Planning and Development (Local Planning Schemes) Regulations 2015</b> - the local government may, by an absolute majority resolution, delegate to a committee or to the local government CEO the exercise of any of the local government's powers or the discharge of any of the local government's duties under the <i>City of Karratha Town Planning Scheme No. 8</i>.</p> <p><b>Schedule 2 Part 10 Division 2 Section 83 of the Planning and Development (Local Planning Schemes) Regulations 2015</b> - local government CEO may 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 functions under the <i>City of Karratha Town Planning Scheme</i> or <b>Planning and Development (Local Planning Schemes) Regulations 2015</b> as applicable.</p>

<b>REFERENCES:</b>	<b>Reg 10(4) of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i></b> – the provisions in Schedule 2 are applicable to all local planning schemes, whether or not they are incorporated into the local planning scheme text.
<b>RECORD OF USE:</b>	Details of decisions made are to be recorded in writing and retained in the Council record keeping system, along with any evidentiary documents. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the <b><i>Local Government (Administration) Regulations 1996</i></b> are met.
<b>FIRST ADOPTED:</b>	20/03/2017
<b>LAST AMENDED:</b>	03/04/2023

## 20.5 SERVICE OF INFRINGEMENT NOTICES

<b>DELEGATION FROM:</b>	Chief Executive Officer
<b>DELEGATION TO:</b>	Manager Approvals and Compliance;  Principal Planner, Statutory Planning Coordinator, Strategic Planning Coordinator, Senior Planner, Planner, Compliance Officer; and  Executive Assistant to the Director – Development Services, Development Services Administration Officer.
<b>DELEGATION:</b>	<b><i>Section 228 Planning and Development Act 2005</i></b>  Appointed as a ‘designated person’ for the purpose of serving infringement notices in accordance with s.228 and s.229.
<b>CONDITIONS:</b>	N/A
<b>REFERENCES:</b>	<b><i>Planning and Development Regulations 2009</i></b>
<b>POWER TO DELEGATE:</b>	<b><i>Section 234(1) Planning and Development Act 2005</i></b> – the chief executive officer of a responsible authority may appoint persons or classes of persons to be ‘designated persons’ for the purposes detailed in s.234(1) of the <b><i>Planning and Development Act</i></b> <b><i>2005</i></b> .
<b>FIRST ADOPTED:</b>	20/03/2017
<b>LAST AMENDED:</b>	03/04/2023

## 21. PUBLIC HEALTH ACT 2016

### 21.1 DUTIES OF ENFORCEMENT AGENCY

<b>DELEGATED BY:</b>	Council
<b>DELEGATED TO:</b>	Chief Executive Officer
<b>POWER/AUTHORITY DELEGATED:</b>	All powers and duties conferred on the local government under the <i><b>Public Health Act 2016</b></i> .
<b>CONDITIONS:</b>	N/A
<b>POWER TO DELEGATE:</b>	<i><b>Section 21(1)(b)(i) Public Health Act 2016</b></i> – a power or duty conferred or imposed on an enforcement agency may be delegated – if the enforcement agency is a local government, to the chief executive officer.
<b>FIRST ADOPTED:</b>	20/03/2017
<b>LAST AMENDED:</b>	09/12/2017

## 21.2 ENVIRONMENTAL HEALTH OFFICERS AND AUTHORISED OFFICERS

<b>DELEGATED BY:</b>	Chief Executive Officer
<b>DELEGATED TO:</b>	Environmental Health Coordinator, Senior Environmental Health Officer, Environmental Health Officer.
<b>POWER/AUTHORITY DELEGATED:</b>	<ol style="list-style-type: none"><li>1. <b>Section 17(1) Public Health Act 2016</b> - a local government may appoint one or more persons as Environmental Health Officer.</li><li>2. <b>Section 24(1) Public Health Act 2016</b> – An enforcement agency may designate a person or class of persons as authorised officers —<ol style="list-style-type: none"><li>(a) for the purposes of this Act or another specified Act; or</li><li>(b) for the purposes of the specified provisions of this Act or another specified Act; or</li><li>(c) for the purposes of the provisions of this Act or another specified Act other than the specified provisions of that Act.</li></ol></li></ol>
<b>CONDITIONS:</b>	Authorised officer must be issued a Certificate of authority as prescribed by s.30 <b>Public Health Act 2016</b> .
<b>POWER TO DELEGATE:</b>	<b>Section 21(1) Public Health Act 2016</b> – a power or duty conferred or imposed on an enforcement agency may be delegated – if the enforcement agency is a local government, to the chief executive officer.
<b>FIRST ADOPTED:</b>	20/03/2017
<b>LAST AMENDED:</b>	09/12/2017

## 22. APPENDIX A - TEMPORARY DELEGATIONS TO CEO

Date	Resolution	Item	Delegation
			Nil

## 23. APPENDIX B - AUTHORISATIONS BY CEO

## 23.1 AUTHORISATION OF EXPENDITURE

<b>AUTHORISED BY:</b>	Chief Executive Officer	
<b>FUNCTION:</b>	The Chief Executive Officer has set purchasing limits on positions authorised to approve purchases from the annual budget.	
<b>AUTHORISATION:</b>	<b>Position</b>	<b>Limit (excl. GST)</b>
	Director Corporate & Legal Services	<b>\$250,000</b>
	Director Community Programs	
	Director Development Services	
	Director Strategic Projects & Infrastructure	
	Manager Financial Services/CFO	<b>\$100,000</b>
	Manager Airport	<b>\$50,000</b>
	Manager Approvals and Compliance	
	Manager Asset Maintenance	
	Manager City Growth	
	Manager Community Facilities	
	Manager Community Programs	
	Manager Governance and Organisational Strategy	
	Manager Information Technology	
	Manager Infrastructure Projects	
	Manager Liveability	
	Manager Waste, Fleet & Depot	
	Project Manager	
	Airport Commercial & Terminal Coordinator	<b>\$25,000</b>
	Airport Operations Coordinator	
	Arts Development & Events Coordinator	
	Building Maintenance Coordinator	
	Community Infrastructure Coordinator	
	Community Operations Coordinator	
	Corporate Accountant	
	Engagement Coordinator - Community & Industry	
	Fleet & Plant Coordinator	
	Landfill and Technical Coordinator	
	Management Accountant	
	Manager Human Resources	
	Manager Marketing & Communications	
	Operations Coordinator	
	Parks & Gardens Assets Supervisor	
	Parks & Gardens Coordinator	
	Parks & Gardens Maintenance Supervisor	
	Project Administration Supervisor	
	Ranger Services Coordinator	
	Recreation Facilities Coordinator	
	Technical Services Coordinator	
	Waste and Depot Administration Coordinator	

	POSITION	LIMIT
	Airport Compliance & Safety Officer Aquatics Supervisor - East Aquatics Supervisor - West Building Coordinator Building Maintenance Administration Officer Building Maintenance Officer Building Maintenance Planner Building Maintenance Supervisor Building Maintenance Technical Officer Building Maintenance Technical Officer Trainee Depot Services Officer Depot Services Support Officer Environmental Health Coordinator Executive Assistant to the CEO and Mayor Executive Assistant to the Director - (for each Directorate) <ul style="list-style-type: none"> <li>• Community Services</li> <li>• Corporate Services</li> <li>• Development Services</li> <li>• Strategic Projects &amp; Infrastructure</li> </ul> Fleet & Plant Supervisor Fleet Support Officer Health & Program Supervisor Indoor Play Centre Officer Library Supervisor Maintenance Officer Operations Supervisor Operations Supervisor (REAP) Sanitation Supervisor Tourism Services Supervisor Training Officer Waste Services Senior Administration Officer Wickham Recreation Precinct Supervisor	\$5,000
<b>CONDITIONS:</b>	<ul style="list-style-type: none"> <li>• All purchases must be within budget allocation or through Council resolution.</li> <li>• Purchase authority is only permissible to accounts where responsibility lies with the appropriate Manager/Coordinator.</li> <li>• Executive Management Team must endorse the Fleet and Plant program.</li> <li>• All goods and services to be acquired through a tendering or expression of interest process will require the CEO or Director approval in the first instance.</li> <li>• All trust payments to meet condition for refund under term of agreement.</li> </ul>	
<b>REFERENCES/POLICY:</b>	Purchasing Policy (CG-12) Regional Price Preference (CG-11)	

## 24. APPENDIX C – DELEGATIONS / AUTHORISATIONS BY ROLE

### Airport Commercial & Terminal Coordinator

- 2.1 LOCAL LAWS - AUTHORISED PERSONS & SERVICE OF INFRINGEMENTS
- 19.1 LITTER ACT - AUTHORISED PERSONS & SERVICE OF INFRINGEMENTS
- 23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$25,000

### Airport Commercial Officer - Carpark and Terminal

- 2.1 LOCAL LAWS - AUTHORISED PERSON & SERVICE OF INFRINGEMENTS

### Airport Compliance & Safety Officer

- 2.1 LOCAL LAWS - AUTHORISED PERSONS & SERVICE OF INFRINGEMENTS
- 23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$5,000

### Airport Operations Coordinator

- 2.1 LOCAL LAWS - AUTHORISED PERSONS & SERVICE OF INFRINGEMENTS
- 23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$25,000

### Airport Reporting Officer

- 2.1 LOCAL LAWS - AUTHORISED PERSONS & SERVICE OF INFRINGEMENTS

### Aquatics Supervisor

- 23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$5,000

### Arts Development & Events Coordinator

- 23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$25,000

### Building Compliance Officer

- 1.13 LGA - POWER TO REQUIRE CERTAIN THINGS TO BE DONE
- 1.14 LGA - POWERS OF ENTRY UNDER LOCAL GOVERNMENT ACT
- 2.1 LOCAL LAWS - AUTHORISED PERSONS & SERVICE OF INFRINGEMENTS
- 5.1 BUILDING ACT - AUTHORISED PERSONS
- 5.3 BUILDING ACT - SERVICE OF INFRINGEMENTS
- 7.1 CARAVAN PARKS AND CAMPING GROUNDS ACT 1995 - AUTHORISED PERSONS AND SERVICE OF INFRINGEMENTS

### Building Coordinator

- 1.13 LGA - POWER TO REQUIRE CERTAIN THINGS TO BE DONE
- 1.14 LGA - POWERS OF ENTRY UNDER LOCAL GOVERNMENT ACT
- 2.1 LOCAL LAWS - AUTHORISED PERSONS & SERVICE OF INFRINGEMENTS
- 5.1 BUILDING ACT - AUTHORISED PERSONS
- 5.2 BUILDING ACT - GRANT / REFUSE PERMITS

- 5.3 BUILDING ACT - SERVICE OF INFRINGEMENTS
- 7.1 CARAVAN PARKS AND CAMPING GROUNDS ACT - AUTHORISED PERSONS AND SERVICE OF INFRINGEMENTS
- 18.1 LIQUOR CONTROL ACT - CERTIFICATE OF LOCAL GOVERNMENT APPROVAL
- 23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$25,000

#### Building Maintenance Administration Officer

- 23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$5,000

#### Building Maintenance Coordinator

- 23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$25,000

#### Building Maintenance Officer

- 23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$5,000

#### Building Maintenance Planner

- 23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$5,000

#### Building Maintenance Supervisor

- 23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$5,000

#### Building Maintenance Technical Officer

- 23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$5,000

#### Building Maintenance Technical Officer Trainee

- 23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$5,000

#### Chief Executive Officer

- 1.1 LGA - TENDERS & EXPRESSIONS OF INTEREST
- 1.2 LGA - PANEL OF PRE-QUALIFIED SUPPLIERS
- 1.3 LGA - DISPOSAL OF LOCAL GOVERNMENT PROPERTY
- 1.4 LGA - APPOINTMENT OF CASUAL EMPLOYEES
- 1.6 LGA - PAYMENTS AND TRANSFERS - LOCAL GOVERNMENT ACCOUNTS
- 1.7 LGA - PAYMENT OF RATES BY AGREEMENT
- 1.8 LGA - WRITE OFF MONIES AND SPECIAL ARRANGEMENTS FOR DEBT
- 1.9 LGA - POWER TO INVEST
- 1.10 LGA - CONCESSIONS ON FEES
- 1.11 LGA - POWER TO REMOVE AND IMPOUND GOODS
- 1.12 LGA - DISPOSAL OF CONFISCATED OR UNCOLLECTED GOODS
- 1.13 LGA - POWER TO REQUIRE CERTAIN THINGS TO BE DONE
- 1.14 LGA - POWERS OF ENTRY UNDER LOCAL GOVERNMENT ACT

- 1.15 LGA - ROAD MANAGEMENT
  - 1.16 COMMENCE PROSECUTIONS
  - 3.1 MODIFY & WITHDRAWAL INFRINGEMENTS
  - 5.1 BUILDING ACT - AUTHORISED PERSONS
  - 5.2 BUILDING ACT - GRANT / REFUSE PERMITS
  - 6.1 BUSH FIRES ACT - FUNCTIONS OF CEO
  - 8.2 CAT ACT - AUTHORISED PERSONS
  - 8.3 CAT ACT DELEGATION
  - 10.1 CONTROL OF VEHICLES (OFF-ROAD AREAS) ACT - AUTHORISED OFFICERS
  - 10.2 CONTROL OF VEHICLES (OFF-ROAD AREAS) ACT - DETENTION OF VEHICLES
  - 11.2 DOG ACT - AUTHORISED PERSONS / REGISTRATION OFFICERS
  - 11.3 DOG ACT DELEGATION
  - 14.1 GAMING AND WAGERING COMMISSION ACT - CERTIFICATION OF LOCAL GOVERNMENT AUTHORITY
  - 15.1 POWERS UNDER GRAFFITI VANDALISM ACT
  - 18.1 LIQUOR CONTROL ACT - CERTIFICATE OF LOCAL GOVERNMENT APPROVAL
  - 20.2 PLANNING AND DEVELOPMENT ACT - APPROVALS
  - 20.3 PLANNING AND DEVELOPMENT ACT - UNAUTHORISED DEVELOPMENT
  - 20.4 PLANNING AND DEVELOPMENT ACT - STRUCTURE PLANS & LOCAL DEVELOPMENT PLANS
  - 21.1 PUBLIC HEALTH ACT - DUTIES OF ENFORCEMENT AGENCY
  - 23.1 AUTHORISATION OF EXPENDITURE
- ANY TEMPORARY DELEGATIONS AS PER APPENDIX A

#### Community Infrastructure Coordinator

- 23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$25,000

#### Community Operations Coordinator

- 23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$25,000

#### Compliance Officer

- 1.13 LGA - POWER TO REQUIRE CERTAIN THINGS TO BE DONE
- 1.14 LGA - POWERS OF ENTRY UNDER LOCAL GOVERNMENT
- 7.1 AUTHORISED PERSONS AND SERVICE OF INFRINGEMENTS
- 20.1 PLANNING AND DEVELOPMENT ACT - POWERS OF ENTRY
- 20.5 PLANNING AND DEVELOPMENT ACT - SERVICE OF INFRINGEMENT NOTICES

#### Corporate Accountant

- 1.6 LGA - PAYMENTS AND TRANSFERS – LOCAL GOVERNMENT ACCOUNTS
- 1.9 POWER TO INVEST
- 23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$25,000

### Customer Service Officer

- 8.1 CAT ACT - REGISTRATION
- 11.1 DOG ACT - REGISTRATION

### Customer Service Supervisor

- 8.1 CAT ACT - REGISTRATION
- 9.1 CEMETERIES ACT - AUTHORISED PERSON
- 11.1 DOG ACT - REGISTRATION

### Depot Services Officer

- 23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$5,000

### Depot Services Support Officer

- 23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$5,000

### Development Services Administration Officer

- 2.1 LOCAL LAWS - AUTHORISED PERSONS & SERVICE OF INFRINGEMENTS
- 5.3 BUILDING ACT - SERVICE OF INFRINGEMENTS
- 6.4 BUSH FIRES ACT - SERVE INFRINGEMENTS & PROSECUTION OF OFFENCES
- 7.1 CARAVAN PARKS AND CAMPING GROUNDS ACT - AUTHORISED PERSONS AND SERVICE OF INFRINGEMENTS
- 8.1 CAT ACT - REGISTRATION
- 8.2 CAT ACT - AUTHORISED PERSONS
- 9.1 CEMETERIES ACT - AUTHORISED PERSONS
- 10.1 CONTROL OF VEHICLES (OFF-ROAD AREAS) ACT - AUTHORISED OFFICERS
- 11.1 DOG ACT - REGISTRATION
- 11.2 DOG ACT - AUTHORISED PERSONS
- 19.1 LITTER ACT - AUTHORISED PERSONS & SERVICE OF INFRINGEMENTS
- 20.5 PLANNING AND DEVELOPMENT ACT - SERVICE OF INFRINGEMENT NOTICES

### ~~Director Community Services~~ Director Community Experience

- 1.1 LGA - TENDERS & EXPRESSIONS OF INTEREST
- 1.4 LGA - APPOINTMENT OF CASUAL EMPLOYEES
- 1.6 LGA - PAYMENTS AND TRANSFERS - LOCAL GOVERNMENT ACCOUNTS
- 1.10 LGA - CONCESSIONS ON FEES
- 1.16 COMMENCE PROSECUTIONS
- 15.1 POWERS UNDER GRAFFITI VANDALISM ACT 2016
- 23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$250,000

### Director Corporate & Legal Services

- 1.1 LGA - TENDERS & EXPRESSIONS OF INTEREST
- 1.3 LGA - DISPOSAL OF LOCAL GOVERNMENT PROPERTY
- 1.4 LGA - APPOINTMENT OF CASUAL EMPLOYEES
- 1.6 LGA - PAYMENTS AND TRANSFERS - LOCAL GOVERNMENT ACCOUNTS
- 1.7 LGA - PAYMENT OF RATES BY AGREEMENT
- 1.8 LGA - WRITE OFF MONIES AND SPECIAL ARRANGEMENTS FOR DEBT
- 1.9 LGA - POWER TO INVEST
- 1.10 LGA - CONCESSIONS ON FEES
- 1.12 DISPOSAL OF CONFISCATED OR UNCOLLECTED GOODS
- 1.16 COMMENCE PROSECUTIONS
- 1.19 ACKNOWLEDGMENT OF RECEIPT OF PRIMARY AND ANNUAL RETURNS
- 9.1 CEMETERIES ACT - AUTHORISED PERSONS
- 23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$250,000

### Director Development Services

- 1.1 LGA - TENDERS & EXPRESSIONS OF INTEREST
- 1.4 LGA - APPOINTMENT OF CASUAL EMPLOYEES
- 1.6 LGA - PAYMENTS AND TRANSFERS - LOCAL GOVERNMENT ACCOUNTS
- 1.10 LGA - CONCESSIONS ON FEES
- 1.12 LGA - DISPOSAL OF CONFISCATED OR UNCOLLECTED GOODS
- 1.14 LGA - POWERS OF ENTRY UNDER LOCAL GOVERNMENT
- 1.16 COMMENCE PROSECUTIONS
- 3.1 MODIFY & WITHDRAWAL INFRINGEMENTS
- 4.1 ANIMAL WELFARE ACT - AUTHORISED PERSON
- 5.2 BUILDING ACT - GRANT/REFUSE PERMITS
- 10.1 CONTROL OF VEHICLES (OFF-ROAD AREAS) ACT - AUTHORISED OFFICERS
- 10.2 CONTROL OF VEHICLES (OFF-ROAD AREAS) ACT - DETENTION OF VEHICLES
- 11.2 DOG ACT - AUTHORISED PERSONS
- 11.4 DOG ACT - KENNEL REGISTRATION
- 13.2 FOOD ACT - ORDERS, NOTICES AND REGISTRATION
- 14.1 GAMING AND WAGERING COMMISSION ACT - CERTIFICATION OF LOCAL GOVERNMENT AUTHORITY
- 18.1 LIQUOR CONTROL ACT - CERTIFICATE OF LOCAL GOVERNMENT APPROVAL
- 20.1 PLANNING AND DEVELOPMENT ACT - POWERS OF ENTRY
- 20.2 PLANNING AND DEVELOPMENT ACT - APPROVALS
- 20.3 PLANNING AND DEVELOPMENT ACT - UNAUTHORISED DEVELOPMENT
- 20.4 PLANNING AND DEVELOPMENT ACT - STRUCTURE PLANS & LOCAL DEVELOPMENT PLANS
- 23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$250,000

### Director Strategic Projects & Infrastructure

- 1.1 LGA - TENDERS & EXPRESSIONS OF INTEREST
- 1.3 LGA - DISPOSAL OF LOCAL GOVERNMENT PROPERTY
- 1.4 LGA - APPOINTMENT OF CASUAL EMPLOYEES
- 1.6 LGA - PAYMENTS AND TRANSFERS - LOCAL GOVERNMENT ACCOUNTS
- 1.10 LGA - CONCESSIONS ON FEES
- 1.16 COMMENCE PROSECUTIONS
- 15.1 POWERS UNDER THE GRAFFITI VANDALISM ACT 2016
- 23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$250,000

### Engagement Coordinator - Community and Industry

- 23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$25,000

### Environmental Health Assistant

- 1.13 LGA - POWER TO REQUIRE CERTAIN THINGS TO BE DONE
- 1.14 LGA - POWERS OF ENTRY UNDER LOCAL GOVERNMENT ACT
- 2.1 LOCAL LAWS - AUTHORISED PERSONS & SERVICE OF INFRINGEMENTS
- 7.1 CARAVAN PARKS AND CAMPING GROUNDS ACT - AUTHORISED PERSONS AND SERVICE OF INFRINGEMENTS

### Environmental Health Coordinator

- 1.13 LGA - POWER TO REQUIRE CERTAIN THINGS TO BE DONE
- 1.14 LGA - POWERS OF ENTRY UNDER LOCAL GOVERNMENT ACT
- 2.1 LOCAL LAWS - AUTHORISED PERSONS & SERVICE OF INFRINGEMENTS
- 7.1 CARAVAN PARKS AND CAMPING GROUNDS ACT - AUTHORISED PERSONS AND SERVICE OF INFRINGEMENTS
- 13.1 FOOD ACT - AUTHORISED OFFICERS
- 13.2 FOOD ACT - ORDERS, NOTICES AND REGISTRATION
- 14.1 GAMING AND WAGERING COMMISSION ACT - CERTIFICATION OF LOCAL GOVERNMENT AUTHORITY
- 16.1 HEALTH ACT - ACT ON BEHALF OF LOCAL GOVERNMENT
- 18.1 LIQUOR CONTROL ACT - CERTIFICATE OF LOCAL GOVERNMENT APPROVAL
- 21.2 PUBLIC HEALTH ACT - ENVIRONMENTAL HEALTH OFFICERS AND AUTHORISED OFFICERS
- 23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$5,000

### Environmental Health Officer

- 1.13 LGA - POWER TO REQUIRE CERTAIN THINGS TO BE DONE
- 1.14 LGA - POWERS OF ENTRY UNDER LOCAL GOVERNMENT ACT
- 2.1 LOCAL LAWS - AUTHORISED PERSONS & SERVICE OF INFRINGEMENTS
- 7.1 CARAVAN PARKS AND CAMPING GROUNDS ACT - AUTHORISED PERSONS AND SERVICE OF INFRINGEMENTS
- 13.1 FOOD ACT - AUTHORISED OFFICERS

- 14.1 GAMING AND WAGERING COMMISSION ACT - CERTIFICATION OF LOCAL GOVERNMENT AUTHORITY
- 16.1 HEALTH ACT - ACT ON BEHALF OF LOCAL GOVERNMENT
- 18.1 LIQUOR CONTROL ACT - CERTIFICATE OF LOCAL GOVERNMENT APPROVAL
- 21.2 PUBLIC HEALTH ACT - ENVIRONMENTAL HEALTH OFFICERS AND AUTHORISED OFFICERS

#### Executive Assistant to the CEO and Mayor

- 23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$5,000

#### Executive Assistant (EA) to the Director (Each Directorate)

- 23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$5,000

#### Executive Assistant (EA) to the Director - Development Services

- 2.1 LOCAL LAWS - AUTHORISED PERSONS & SERVICE OF INFRINGEMENTS
- 5.3 BUILDING ACT - SERVICE OF INFRINGEMENTS
- 6.4 BUSH FIRES ACT - SERVE INFRINGEMENTS & PROSECUTION OF OFFENCES
- 7.1 CARAVAN PARKS AND CAMPING GROUNDS ACT - AUTHORISED PERSONS AND SERVICE OF INFRINGEMENTS
- 8.1 CAT ACT - REGISTRATION
- 8.2 CAT ACT - AUTHORISED PERSONS
- 9.1 CEMETERIES ACT - AUTHORISED PERSONS
- 10.1 CONTROL OF VEHICLES (OFF-ROAD AREAS) ACT - AUTHORISED OFFICERS
- 11.1 DOG ACT - REGISTRATION
- 11.2 DOG ACT - AUTHORISED PERSONS
- 19.1 LITTER ACT - AUTHORISED PERSONS & SERVICE OF INFRINGEMENTS
- 20.5 PLANNING AND DEVELOPMENT ACT - SERVICE OF INFRINGEMENT NOTICES

#### Fleet & Plant Coordinator

- 23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$25,000

#### Fleet & Plant Supervisor

- 23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$5,000

#### Fleet Support Officer

- 23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$5,000

#### Health & Programs Supervisor

- 23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$5,000

### Indoor Play Centre Officer

- 23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$5,000

### Landfill and Technical Coordinator

- 23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$25,000

### Library Officer

- 8.1 CAT ACT - REGISTRATION
- 11.1 DOG ACT - REGISTRATION

### Library Supervisor

- 23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$5,000

### Maintenance Officer

- 23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$5,000

### Management Accountant

- 1.6 LGA - PAYMENTS AND TRANSFERS - LOCAL GOVERNMENT ACCOUNTS
- 1.9 LGA - POWER TO INVEST
- 23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$50,000

### Manager Airport

- 1.3 DISPOSAL OF LOCAL GOVERNMENT PROPERTY
- 1.10 LGA - CONCESSIONS ON FEES
- 2.1 LOCAL LAWS - AUTHORISED PERSONS & SERVICE OF INFRINGEMENTS
- 23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$50,000

### Manager Approvals and Compliance

- 1.3 DISPOSAL OF LOCAL GOVERNMENT PROPERTY
- 1.10 LGA - CONCESSIONS ON FEES
- 1.11 LGA - POWER TO REMOVE AND IMPOUND GOODS
- 1.12 LGA - DISPOSAL OF CONFISCATED OR UNCOLLECTED GOODS
- 1.13 LGA - POWER TO REQUIRE CERTAIN THINGS TO BE DONE
- 1.14 LGA - POWERS OF ENTRY UNDER LOCAL GOVERNMENT ACT
- 1.15 LGA - ROAD MANAGEMENT
- 1.17 LGA - REPRESENT LOCAL GOVERNMENT IN COURT PROCEEDINGS
- 2.1 LOCAL LAWS - AUTHORISED PERSONS & SERVICE OF INFRINGEMENTS
- 3.1 MODIFY & WITHDRAWAL OF INFRINGEMENTS
- 5.1 BUILDING ACT - AUTHORISED PERSONS
- 5.2 BUILDING ACT - GRANT / REFUSE PERMITS
- 5.3 BUILDING ACT - SERVICE OF INFRINGEMENTS

- 6.2 BUSH FIRES ACT - AUTHORISED OFFICERS
- 6.4 BUSH FIRES ACT - SERVE INFRINGEMENTS & PROSECUTION OF OFFENCES
- 7.1 CARAVAN PARKS AND CAMPING GROUNDS ACT - AUTHORISED PERSONS AND SERVICE OF INFRINGEMENTS
- 8.2 CAT ACT - AUTHORISED PERSONS
- 10.1 CONTROL OF VEHICLES (OFF-ROAD AREAS) ACT - AUTHORISED OFFICERS
- 10.2 CONTROL OF VEHICLES (OFF-ROAD AREAS) ACT - DETENTION OF VEHICLES
- 11.1 DOG ACT - REGISTRATION
- 11.2 DOG ACT - AUTHORISED PERSONS
- 11.4 DOG ACT - KENNEL REGISTRATION
- 12.1 EMERGENCY MANAGEMENT DIRECTION POWERS
- 13.1 FOOD ACT - AUTHORISED OFFICERS
- 13.2 FOOD ACT - ORDERS, NOTICES AND REGISTRATION
- 14.1 GAMING AND WAGERING COMMISSION ACT - CERTIFICATION OF LOCAL GOVERNMENT AUTHORITY
- 16.1 HEALTH ACT - ACT ON BEHALF OF LOCAL GOVERNMENT
- 18.1 LIQUOR CONTROL ACT - CERTIFICATE OF LOCAL GOVERNMENT APPROVAL
- 19.1 LITTER ACT - AUTHORISED PERSONS & SERVICE OF INFRINGEMENTS
- 20.1 PLANNING AND DEVELOPMENT ACT - POWERS OF ENTRY
- 20.2 PLANNING AND DEVELOPMENT ACT - APPROVALS
- 20.3 PLANNING AND DEVELOPMENT ACT - UNAUTHORISED DEVELOPMENT
- 20.4 PLANNING AND DEVELOPMENT ACT - STRUCTURE PLANS AND LOCAL DEVELOPMENT PLANS
- 20.5 PLANNING AND DEVELOPMENT ACT - STRUCTURE PLANS AND LOCAL DEVELOPMENT PLANS
- 23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$50,000

#### Manager Asset Maintenance

- 1.3 DISPOSAL OF LOCAL GOVERNMENT PROPERTY
- 1.11 LGA - POWER TO REMOVE AND IMPOUND GOODS
- 1.15 LGA - ROAD MANAGEMENT
- 9.1 CEMETERIES ACT - AUTHORISED PERSONS
- 23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$50,000

#### Manager City Growth

- 1.3 DISPOSAL OF LOCAL GOVERNMENT PROPERTY
- 23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$50,000

#### Manager Community Facilities

- 1.3 DISPOSAL OF LOCAL GOVERNMENT PROPERTY
- 1.10 LGA - CONCESSIONS ON FEES
- 2.1 LOCAL LAWS - AUTHORISED PERSONS & SERVICE OF INFRINGEMENTS
- 23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$50,000

### Manager Community Programs

#### 1.3 DISPOSAL OF LOCAL GOVERNMENT PROPERTY

1.10 LGA - CONCESSIONS ON FEES

23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$50,000

### Manager Financial Services / CFO

#### 1.3 DISPOSAL OF LOCAL GOVERNMENT PROPERTY

1.6 LGA - PAYMENTS AND TRANSFERS - LOCAL GOVERNMENT ACCOUNTS

1.7 LGA - PAYMENT OF RATES BY AGREEMENT

1.8 LGA - WRITE OFF MONIES AND SPECIAL ARRANGEMENTS

1.9 LGA - POWER TO INVEST

23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$100,000

### Manager Governance & Organisational Strategy

#### 1.3 DISPOSAL OF LOCAL GOVERNMENT PROPERTY

#### 1.19 ACKNOWLEDGMENT OF RECEIPT OF PRIMARY AND ANNUAL RETURNS

9.1 CEMETERIES ACT - AUTHORISED PERSONS

23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$50,000

### Manager Human Resources

#### 1.3 DISPOSAL OF LOCAL GOVERNMENT PROPERTY

23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$25,000

### Manager Information Technology

#### 1.3 DISPOSAL OF LOCAL GOVERNMENT PROPERTY

23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$50,000

### Manager Infrastructure Projects

#### 1.3 DISPOSAL OF LOCAL GOVERNMENT PROPERTY

23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$50,000

### Manager Liveability

#### 1.3 DISPOSAL OF LOCAL GOVERNMENT PROPERTY

15.1 POWERS UNDER GRAFFITI VANDALISM ACT 2016

23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$50,000

### Manager Marketing & Communications

#### 1.3 DISPOSAL OF LOCAL GOVERNMENT PROPERTY

23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$25,000

### Manager Waste, Fleet & Depot

#### 1.3 DISPOSAL OF LOCAL GOVERNMENT PROPERTY

1.11 LGA - POWER TO REMOVE AND IMPOUND GOODS

1.12 LGA - DISPOSAL OF CONFISCATED OR UNCOLLECTED GOODS

#### 15.1 POWERS UNDER THE GRAFFITI VANDALISM ACT 2016

23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$50,000

### Operations Coordinator

1.15 LGA - ROAD MANAGEMENT

9.1 CEMETERIES ACT - AUTHORISED PERSONS

23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$25,000

### Operations Supervisor

1.15 LGA - ROAD MANAGEMENT

9.1 CEMETERIES ACT - AUTHORISED PERSONS

23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$5,000

### Operations Supervisor (REAP)

23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$5,000

### Parks & Gardens Assets Supervisor

23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$25,000

### Parks & Gardens Coordinator

23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$25,000

### Parks & Gardens Maintenance Supervisor

23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$25,000

### Planner

1.13 LGA - POWER TO REQUIRE CERTAIN THINGS TO BE DONE

14.1 GAMING AND WAGERING COMMISSION ACT - CERTIFICATION OF LOCAL GOVERNMENT AUTHORITY

18.1 LIQUOR CONTROL ACT - CERTIFICATE OF LOCAL GOVERNMENT APPROVAL

20.1 PLANNING AND DEVELOPMENT ACT - POWERS OF ENTRY

20.2 PLANNING AND DEVELOPMENT ACT - APPROVALS

20.5 PLANNING AND DEVELOPMENT ACT - SERVICE OF INFRINGEMENT NOTICES

### Principal Planner

- 1.13 LGA - POWER TO REQUIRE CERTAIN THINGS TO BE DONE
- 14.1 GAMING AND WAGERING COMMISSION ACT - CERTIFICATION OF LOCAL GOVERNMENT AUTHORITY
- 18.1 LIQUOR CONTROL ACT - CERTIFICATE OF LOCAL GOVERNMENT APPROVAL
- 20.1 PLANNING AND DEVELOPMENT ACT - POWERS OF ENTRY
- 20.2 PLANNING AND DEVELOPMENT ACT - APPROVALS
- 20.4 PLANNING AND DEVELOPMENT ACT - STRUCTURE PLANS & LOCAL DEVELOPMENT PLANS
- 20.5 PLANNING AND DEVELOPMENT ACT - SERVICE OF INFRINGEMENT NOTICES

### Project Administration Supervisor

- 23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$25,000

### Project Manager

- 23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$50,000

### Ranger

- 1.11 LGA - POWER TO REMOVE AND IMPOUND GOODS
- 1.13 LGA - POWER TO REQUIRE CERTAIN THINGS TO BE DONE
- 1.14 LGA - POWERS OF ENTRY UNDER LOCAL GOVERNMENT ACT
- 1.15 LGA - ROAD MANAGEMENT
- 2.1 LOCAL LAWS - AUTHORISED PERSONS & SERVICE OF INFRINGEMENTS
- 6.2 BUSH FIRES ACT - AUTHORISED OFFICERS
- 6.3 BUSH FIRES ACT - BUSH FIRE CONTROL OFFICERS & FIRE WEATHER OFFICERS (DELEGATED TO INDIVIDUAL OFFICERS)
- 6.4 BUSH FIRES ACT - SERVE INFRINGEMENTS & PROSECUTION OF OFFENCES
- 7.1 CARAVAN PARKS AND CAMPING GROUNDS ACT - AUTHORISED PERSONS AND SERVICE OF INFRINGEMENTS
- 8.2 CAT ACT - AUTHORISED PERSONS
- 9.1 CEMETERIES ACT - AUTHORISED PERSONS
- 10.1 CONTROL OF VEHICLES (OFF-ROAD AREAS) ACT - AUTHORISED OFFICERS
- 11.1 DOG ACT - REGISTRATION
- 11.2 DOG ACT - AUTHORISED PERSONS
- 12.1 EMERGENCY MANAGEMENT DIRECTION POWERS
- 19.1 LITTER ACT - AUTHORISED PERSONS & SERVICE OF INFRINGEMENTS

### Ranger Services Coordinator

- 1.11 LGA - POWER TO REMOVE AND IMPOUND GOODS
- 1.12 LGA - DISPOSAL OF CONFISCATED OR UNCOLLECTED GOODS
- 1.13 LGA - POWER TO REQUIRE CERTAIN THINGS TO BE DONE
- 1.14 LGA - POWERS OF ENTRY UNDER LOCAL GOVERNMENT ACT

- 1.15 LGA - ROAD MANAGEMENT
- 2.1 LOCAL LAWS - AUTHORISED PERSONS & SERVICE OF INFRINGEMENTS
- 6.2 BUSH FIRES ACT - AUTHORISED OFFICERS
- 6.3 BUSH FIRES ACT - BUSH FIRE CONTROL OFFICERS & FIRE WEATHER OFFICERS
- 6.4 BUSH FIRES ACT - SERVE INFRINGEMENTS & PROSECUTION OF OFFENCES
- 7.1 CARAVAN PARKS AND CAMPING GROUNDS ACT - AUTHORISED PERSONS AND SERVICE OF INFRINGEMENTS
- 8.2 CAT ACT - AUTHORISED PERSONS
- 9.1 CEMETERIES ACT - AUTHORISED PERSONS
- 10.1 CONTROL OF VEHICLES (OFF-ROAD AREAS) ACT - AUTHORISED OFFICERS
- 11.1 DOG ACT - REGISTRATION
- 11.2 DOG ACT - AUTHORISED PERSONS
- 11.4 DOG ACT - KENNEL REGISTRATION
- 12.1 EMERGENCY MANAGEMENT DIRECTION POWERS
- 19.1 LITTER ACT - AUTHORISED PERSONS & SERVICE OF INFRINGEMENTS
- 23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$25,000

#### Recreation Facilities Coordinator

- 23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$25,000

#### Sanitation Supervisor

- 23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$5,000

#### Senior Airport Reporting Officer

- 2.1 LOCAL LAWS - AUTHORISED PERSONS & SERVICE OF INFRINGEMENTS

#### Senior Building Surveyor

- 1.13 LGA - POWER TO REQUIRE CERTAIN THINGS TO BE DONE
- 1.14 LGA - POWERS OF ENTRY UNDER LOCAL GOVERNMENT ACT
- 2.1 LOCAL LAWS - AUTHORISED PERSONS & SERVICE OF INFRINGEMENTS
- 5.1 BUILDING ACT - AUTHORISED PERSONS
- 5.2 BUILDING ACT – GRANT / REFUSE PERMITS
- 5.3 BUILDING ACT - SERVICE OF INFRINGEMENTS
- 7.1 CARAVAN PARKS AND CAMPING GROUNDS ACT - AUTHORISED PERSONS AND SERVICE OF INFRINGEMENTS

#### Senior Engineering Technical Officer

- 1.15 LGA - ROAD MANAGEMENT

#### Senior Environmental Health Officer

- 1.13 LGA - POWER TO REQUIRE CERTAIN THINGS TO BE DONE

- 1.14 LGA - POWERS OF ENTRY UNDER LOCAL GOVERNMENT ACT
- 2.1 LOCAL LAWS - AUTHORISED PERSONS & SERVICE OF INFRINGEMENTS
- 7.1 CARAVAN PARKS AND CAMPING GROUNDS ACT - AUTHORISED PERSONS AND SERVICE OF INFRINGEMENTS
- 13.1 FOOD ACT - AUTHORISED OFFICERS
- 13.2 FOOD ACT - ORDERS, NOTICES AND REGISTRATION
- 14.1 GAMING AND WAGERING COMMISSION ACT - CERTIFICATION OF LOCAL GOVERNMENT AUTHORITY
- 16.1 HEALTH ACT - ACT ON BEHALF OF LOCAL GOVERNMENT
- 18.1 LIQUOR CONTROL ACT - CERTIFICATE OF LOCAL GOVERNMENT APPROVAL
- 21.1 PUBLIC HEALTH ACT - DUTIES OF ENFORCEMENT AGENCY
- 21.2 PUBLIC HEALTH ACT - ENVIRONMENTAL HEALTH OFFICERS AND AUTHORISED OFFICERS

#### Senior Planner

- 1.13 LGA - POWER TO REQUIRE CERTAIN THINGS TO BE DONE
- 14.1 GAMING AND WAGERING COMMISSION ACT - CERTIFICATION OF LOCAL GOVERNMENT AUTHORITY
- 18.1 LIQUOR CONTROL ACT - CERTIFICATE OF LOCAL GOVERNMENT APPROVAL
- 20.1 PLANNING AND DEVELOPMENT ACT - POWERS OF ENTRY
- 20.2 PLANNING AND DEVELOPMENT ACT - APPROVALS
- 20.5 PLANNING AND DEVELOPMENT ACT - SERVICE OF INFRINGEMENT NOTICES

#### Statutory Planning Coordinator (3 April 2023 – 6 October 2023)

- 1.13 LGA - POWER TO REQUIRE CERTAIN THINGS TO BE DONE
- 20.1 PLANNING AND DEVELOPMENT ACT - POWERS OF ENTRY
- 20.2 PLANNING AND DEVELOPMENT ACT - APPROVALS
- 20.4 PLANNING AND DEVELOPMENT ACT - STRUCTURE PLANS & LOCAL DEVELOPMENT PLANS
- 20.5 PLANNING AND DEVELOPMENT ACT - SERVICE OF INFRINGEMENT NOTICES

#### Strategic Planning Coordinator (3 April 2023 – 6 October 2023)

- 1.13 LGA - POWER TO REQUIRE CERTAIN THINGS TO BE DONE
- 20.1 PLANNING AND DEVELOPMENT ACT - POWERS OF ENTRY
- 20.2 PLANNING AND DEVELOPMENT ACT - APPROVALS
- 20.4 PLANNING AND DEVELOPMENT ACT - STRUCTURE PLANS & LOCAL DEVELOPMENT PLANS
- 20.5 PLANNING AND DEVELOPMENT ACT - SERVICE OF INFRINGEMENT NOTICES

#### Technical Services Coordinator

- 1.13 LGA - POWER TO REQUIRE CERTAIN THINGS TO BE DONE
- 1.15 LGA - ROAD MANAGEMENT

23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$25,000

[Tourism Services Supervisor](#)

23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$5,000

[Training Officer](#)

23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$5,000

[Waste and Depot Administration Coordinator](#)

23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$25,000

[Waste Services Senior Administration Officer](#)

23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$5,000

[Wickham Recreation Precinct Supervisor](#)

23.1 LGA - AUTHORISATION OF EXPENDITURE UP TO \$5,000