



DELEGATIONS AND AUTHORISATIONS REGISTER

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TABLE OF CONTENTS

INTRODUCTION	5
1. BACKGROUND TO DELEGATIONS AND AUTHORISATIONS	5
2. REQUIREMENTS FOR DELEGATED AUTHORITIES.....	5
3. DELEGATED AUTHORITY UNDER THE LOCAL GOVERNMENT ACT 1995.....	5
4. DELEGATION BY COUNCIL TO THE CHIEF EXECUTIVE OFFICER UNDER THE LOCAL GOVERNMENT ACT 1995.....	5
5. SUB-DELEGATION BY CHIEF EXECUTIVE OFFICER TO AN EMPLOYEE UNDER THE LOCAL GOVERNMENT ACT 1995.....	6
6. SUB-DELEGATION BY THE CHIEF EXECUTIVE OFFICER TO AN EMPLOYEE UNDER OTHER LEGISLATION.....	6
7. AUTHORISATIONS.....	6
8. ACTING THROUGH.....	6
9. REGISTER OF DELEGATIONS.....	7
10. RECORD OF DELEGATIONS	7
11. PRIMARY AND ANNUAL RETURNS.....	7
12. THIS REGISTER	7
AUTHORISATIONS FROM LOCAL GOVERNMENT	9
1. CONTROL OF VEHICLES (OFF-ROAD AREAS) ACT 1978 – AUTHORISED OFFICERS AND SERVICE OF INFRINGEMENT NOTICES.....	9
2. WITHDRAWAL OF INFRINGEMENT NOTICES UNDER THE CONTROL OF VEHICLES (OFF-ROAD AREAS) ACT 1978 – AUTHORISED OFFICERS.....	10
3. CARAVAN PARKS AND CAMPING GROUNDS ACT 1995 – AUTHORISED PERSONS	11
4. SERVICE OF INFRINGEMENT NOTICES UNDER THE CARAVAN PARKS AND CAMPING GROUNDS ACT 1995 – AUTHORISED PERSONS.....	12
5. WITHDRAWAL OF INFRINGEMENT NOTICES UNDER THE CARAVAN PARKS AND CAMPING GROUNDS ACT 1995 – AUTHORISED PERSONS.....	13
6. – 9. UNALLOCATED	14
10. BUILDING ACT 2011 – AUTHORISED PERSONS (INCLUDING THOSE APPOINTED FOR THE INSPECTION OF SWIMMING POOLS).....	1818 <u>18</u>
11. SERVICE OF INFRINGEMENT NOTICES UNDER THE BUILDING ACT 2011 – AUTHORISED OFFICERS.....	1919 <u>19</u>
12. WITHDRAWAL OF INFRINGEMENT NOTICES UNDER THE BUILDING ACT 2011 – APPROVED.....	2020 <u>20</u>
13. AUTHORISED OFFICERS UNDER THE FOOD ACT 2008.....	2121 <u>21</u>
14. SERVICE OF INFRINGEMENT NOTICES UNDER THE FOOD ACT 2008	2222 <u>22</u>
15. WITHDRAWAL OF INFRINGEMENT NOTICES UNDER THE FOOD ACT 2008.....	2323 <u>23</u>
16. LITTER ACT 1979 – HONORARY INSPECTORS.....	2424 <u>24</u>
17. LITTER ACT 1979 – AUTHORISED OFFICERS AND SERVICE OF INFRINGEMENT NOTICES	2525 <u>25</u>
18. WITHDRAWAL OF INFRINGEMENT NOTICES UNDER THE LITTER ACT 1979.....	2626 <u>26</u>
19. CEMETERIES ACT 1986 – AUTHORISATIONS.....	2727 <u>27</u>
20. LOCAL LAWS – AUTHORISED PERSONS AND WITHDRAWAL OF INFRINGEMENT NOTICES	2929 <u>29</u>
21. – 24. UNALLOCATED	3030 <u>30</u>
25. LAND ADMINISTRATION ACT 1997 – CROWN LAND – REQUESTS TO MINISTER FOR LANDS.....	3535 <u>35</u>
26. LIQUOR CONTROL ACT 1988 – CERTIFICATE OF LOCAL GOVERNMENT UNDER SECTION 39 AND CERTIFICATE OF LOCAL PLANNING AUTHORITY UNDER SECTION 40 – AUTHORISED OFFICER.....	3737 <u>37</u>

27. GAMING AND WAGERING COMMISSION ACT 1987 – CERTIFICATION OF LOCAL GOVERNMENT AUTHORITY UNDER SECTION 55	383838
28. TIDEPole ISLAND LOCAL LAW 2007 – AUTHORITY TO ISSUE VISITOR'S PERMITS: 393939	
AUTHORISATIONS FROM CHIEF EXECUTIVE OFFICER	404040
1. BUSH FIRES ACT 1954 – AUTHORISED OFFICERS.....	404040
2. SERVICE OF INFRINGEMENT NOTICES UNDER THE PLANNING AND DEVELOPMENT ACT 2005 – DESIGNATED PERSONS.....	414141
3. WITHDRAWAL OF INFRINGEMENT NOTICES UNDER THE PLANNING AND DEVELOPMENT ACT 2005 – DESIGNATED PERSONS	424242
4. TOWN PLANNING – POWERS OF ENTRY	434343
5. ANIMAL WELFARE ACT 2002 – AUTHORISED PERSONS	444444
6. LOCAL LAWS – AUTHORISED PERSONS AND SERVICE OF INFRINGEMENT NOTICES 454545	
7. LOCAL LAWS – AUTHORISED PERSONS AND WITHDRAWAL OF INFRINGEMENT NOTICES	474747
8. POWER TO REMOVE AND IMPOUND GOODS – AUTHORISED PERSONS.....	484848
9. AUTHORISED OFFICER TO PROSECUTE ON BEHALF OF CITY OF KARRATHA ...	494949
10. BUSH FIRES ACT 1954 – BUSH FIRE CONTROL OFFICERS.....	505050
DELEGATIONS.....	515151
1. APPOINTMENT OF ACTING CEO	515151
2. LEGAL ADVICE - GENERAL	525252
3. LEGAL REPRESENTATION FOR PRESENT AND FORMER ELECTED MEMBERS AND STAFF OF THE CITY OF KARRATHA	535353
4. PAYMENTS FROM MUNICIPAL AND TRUST FUND AND TRANSFER TO AND FROM RESERVE ACCOUNTS.....	545454
5. AUTHORISATION OF EXPENDITURE FROM MUNICIPAL AND TRUST FUND	555555
6. PAYMENT OF RATES BY INSTALMENT OR SPECIAL ARRANGEMENT	575757
7. PAYMENT OF OTHER DEBTS BY INSTALMENTS OR SPECIAL ARRANGEMENT ...	585858
8. WRITE OFF MONIES.....	595959
9. POWER TO INVEST	606060
10. PAYMENTS TO CITY OF KARRATHA EMPLOYEES.....	616161
11. CONCESSIONS ON FEES FOR COUNCIL FACILITIES	626262
12. CONCESSIONS ON FEES FOR COUNCIL SERVICES	646464
13. AWARDDING TENDERS.....	656565
14. INVITING TENDERS AND DETERMINING TENDER EVALUATION CRITERIA	666666
15. DISPOSAL OF PROPERTY	686868
16. AUTHORITY TO APPOINT AUTHORISED PERSONS - LOCAL LAWS	717171
17. FUNCTIONS OF LOCAL GOVERNMENT UNDER LOCAL LAWS	737373
18. LOCAL GOVERNMENT ACT 1995 – POWER TO ENTER LAND, PREMISES OR THING WITH NOTICE OR IN AN EMERGENCY	757575
19. LOCAL GOVERNMENT ACT 1995 – POWER TO REQUIRE CERTAIN THINGS TO BE DONE BY OWNER/OCCUPIER OF LAND/POWER TO DO THINGS ON LAND NOT OWNED BY LOCAL GOVERNMENT	767676
20. DISPOSING OF CONFISCATED OR UNCOLLECTED GOODS	787878
21. POWER TO REMOVE AND IMPOUND GOODS	797979
22. EMERGENCY MANAGEMENT ACT 2005	818181
23. BUSH FIRES ACT 1954	828282
24. BUSH FIRES ACT 1954 – INFRINGEMENTS	838383

25. EVENTS ON ROADS	848484
26. TEMPORARY ROAD CLOSURES.....	858585
27. BUILDING PERMITS UNDER THE BUILDING ACT 2011	868686
28. DEMOLITION PERMITS UNDER THE BUILDING ACT 2011	878787
29. OCCUPANCY PERMITS AND BUILDING APPROVAL CERTIFICATES UNDER THE BUILDING ACT 2011	888888
30. HEALTH ACT 1911	898989
31. PROSECUTIONS UNDER THE FOOD ACT 2008	909090
32. PROHIBITION ORDERS UNDER THE FOOD ACT 2008	919191
33. REGISTRATION OF A FOOD BUSINESS UNDER THE FOOD ACT 2008.....	929292
34. TOWN PLANNING APPROVALS	939393
35. TOWN PLANNING – AUTHORITY TO DETERMINE APPLICATIONS FOR EXTENSION OF THE PERIOD FOR APPROVAL OF DEVELOPMENTS	969696
36. TOWN PLANNING – SUBDIVISIONS.....	999999
37. TOWN PLANNING – MAKING SUBMISSIONS ON BEHALF OF COUNCIL	101401401
38. TOWN PLANNING – DEVELOPMENT AND PERFORMANCE BONDS	103403403
39. TOWN PLANNING – RESPONDING TO APPEALS LODGED WITH THE STATE ADMINISTRATIVE TRIBUNAL	105405405
40. TOWN PLANNING – WRITTEN DIRECTIONS IN RELATION TO UNAUTHORISED DEVELOPMENT	107407407
41. TOWN PLANNING – STRUCTURE PLANS	109409408
42. TOWN PLANNING – LOCAL DEVELOPMENT PLANS	111411410
43. – 44. UNALLOCATED	113413412
45. INVITING EXPRESSIONS OF INTEREST AND DETERMINING EVALUATION CRITERIA 114114114	
46. APPOINTMENT OF CASUAL EMPLOYEES.....	115415415
47. ACNOWLEDGING RECEIPT OF FINANCIAL RETURNS.....	116416416
48. TENDERS & EXPRESSIONS OF INTEREST – NOTICE OF OUTCOME	117417417
49. DOG ACT 1976 – DOG CONTROL	119419419
50. CAT ACT 2011 – CAT CONTROL	122422421
APPENDIX - OTHER DELEGATIONS BY COUNCIL RESOLUTION.....	125425424

INTRODUCTION

1. 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 authorisation is where a person or body is given permission to perform a specific statutory function in their own right.

2. REQUIREMENTS FOR DELEGATED AUTHORITIES

- 2.1 There are two requirements for a delegation to be effective. These are:
 - 2.1.1 There must be a power to delegate; and
 - 2.1.2 A power to be delegated must exist.
- 2.2 **Power to Delegate**
 - 2.2.1 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.¹
 - 2.2.2 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.
- 2.3 **Power to be Delegated**

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

3. 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.

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

- 4.1 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.
- 4.2 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:
 - 4.2.1 any power or duty that requires a decision of an absolute majority or 75% majority of the local government;
 - 4.2.2 accepting a tender which exceeds an amount determined by the local government;
 - 4.2.3 appointing an auditor;

¹ Taken from Government of Western Australia, Department of Local Government Delegations – Local Government Operational Guidelines – Number 17 January 2007

- 4.2.4 acquiring or disposing of any property valued at an amount determined by the local government;
- 4.2.5 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*;
- 4.2.6 borrowing money on behalf of the local government;
- 4.2.7 hearing or determining an objection of a kind referred to in section 9.5 of the *Local Government Act 1995*;
- 4.2.8 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;
- 4.2.9 any power or duty that requires the approval of the Minister or the Governor; and
- 4.2.10 such other powers or duties that may be prescribed.

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

- 5.1 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.
- 5.2 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.

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

- 6.1 Under common law, sub-delegation is only permitted where it is expressly provided for in legislation.
- 6.2 The *Local Government Act 1995*, expressly permits sub-delegation by a Chief Executive Officer, as outlined in paragraph 5 above.
- 6.3 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.²

7. 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* ~~and the Dog Act 1976~~ 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 the ~~these~~ pieces of legislation.

8. 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

² Taken from Government of Western Australia, Department of Local Government Delegations – Local Government Operational Guidelines – Number 17 January 2007

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.³

9. REGISTER OF DELEGATIONS

- 9.1 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.
- 9.2 Section 5.46(2) provides that at least once every financial year, delegations are to be reviewed by the delegator.

10. RECORD OF DELEGATIONS

- 10.1 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.
- 10.2 Regulation 19 of the *Local Government (Administration) Regulations 1996*, states that the record is to contain the following information:
 - 10.2.1 how the person exercised the power or discharged the duty;
 - 10.2.2 when the person exercised the power or discharged the duty; and
 - 10.2.3 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.
- 10.3 In the delegations section of this register, 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.

11. 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 returns are to be completed annual return relating to the previous financial year by 31st August in each year that they hold that role in accordance with s.5.76 of the *Local Government Act 1995*.

12. THIS REGISTER

- 12.1 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.
- 12.2 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.
- 12.3 This register also details authorisations made by the local government and Chief Executive Officer and includes where the power to authorise is derived from, along with the related legislation or documents confirming the authorisation.
- 12.4 The appendix to this register details separate "one-off" delegations that have been made to the Chief Executive Officer directly from the local government.

³ Paragraph taken from Government of Western Australia, Department of Local Government Delegations – Local Government Operational Guidelines – Number 17 January 2007

- 12.5 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.

AUTHORISATIONS FROM LOCAL GOVERNMENT

1. CONTROL OF VEHICLES (OFF-ROAD AREAS) ACT 1978 – AUTHORISED OFFICERS AND SERVICE OF INFRINGEMENT NOTICES

AUTHORISATION FROM:	Local Government
POWER TO AUTHORISE:	Section 38(3)(a) <i>Control of Vehicles (Off-Road Areas) Act 1978</i> – local government may by resolution appoint any employee of the local government to be an ‘authorised officer’ for the purposes of the <i>Control of Vehicles (Off-Road Areas) Act 1978</i> .
AUTHORISATION TO:	Ranger Services Coordinator, Senior Rangers, Rangers, Trainee Ranger; Emergency Management Coordinator; and Cossack Caretakers.
AUTHORISATION:	Appointed as an ‘authorised officer’ for the purposes detailed in the <i>Control of Vehicles (Off-Road Areas) Act 1978</i> and <i>Control of Vehicles (Off-Road Areas) Regulations 1979</i> , including the service of infringement notices under s.37(1) but with the exception of withdrawing infringement notices under s.37(5).
CONDITIONS:	A resolution is required under s.38(3)(a) <i>Control of Vehicles (Off-Road Areas) Act 1978</i> to appoint such ‘authorised officers’.
REFERENCES:	N/A
DATE ADOPTED:	20/10/2003
LAST REVIEWED:	15/06/2015

2. WITHDRAWAL OF INFRINGEMENT NOTICES UNDER THE CONTROL OF VEHICLES (OFF-ROAD AREAS) ACT 1978 – AUTHORISED OFFICERS

AUTHORISATION FROM: Local Government

POWER TO AUTHORISE: Section 38(3)(a) Control of Vehicles (Off-Road Areas) Act 1978 - local government may by resolution appoint any employee of the local government to be an 'authorised officer' for the purposes of the Control of Vehicles (Off-Road Areas) Act 1978.

Section 37(5) Control of Vehicles (Off-Road Areas) Act 1978 – an infringement notice may be withdrawn by a person authorised by the local government

AUTHORISATION TO: Chief Executive Officer; and
Director Development Services.

AUTHORISATION: Authorised to withdraw infringement notices under **s.37(5) Control of Vehicles (Off-Road Areas) Act 1978**.

CONDITIONS: A resolution is required under s.38(3)(a) *Control of Vehicles (Off-Road Areas) Act 1978* to appoint such 'authorised officers'.

REFERENCES: N/A

DATE ADOPTED: 20/10/2003

LAST REVIEWED: 15/06/2015

3. CARAVAN PARKS AND CAMPING GROUNDS ACT 1995 – AUTHORISED PERSONS

AUTHORISATION FROM:	Local Government
POWER TO AUTHORISE:	<p>Section 17(1)(a) <i>Caravan Parks and Camping Grounds Act 1995</i> – local government may appoint such persons to be authorised persons for the purposes of the <i>Caravan Parks and Camping Grounds Act 1995</i> as the local government considers necessary.</p> <p>Regulation 6 <i>Caravan Parks and Camping Grounds Regulations 1997</i> – a function conferred on a local government by the regulations may be performed by an authorised person appointed by the local government.</p>
AUTHORISATION TO:	<p>Ranger Services Coordinator, Senior Rangers, Rangers, Trainee Ranger;</p> <p>Emergency Management Coordinator;</p> <p>Cossack Caretakers;</p> <p>Coordinator Environmental Health Services, Environmental Health Officers;</p> <p>Building Coordinator, Senior Building Surveyors, Building Surveyors, Building Compliance Officer; and</p> <p>Manager Regulatory Services.</p>
AUTHORISATION:	<p>Appointed as an ‘authorised person’ for the purposes detailed in the <i>Caravan Parks and Camping Grounds Act 1995</i> (except for the purposes detailed under s.23).</p> <p>Authority to perform the functions of local government and an ‘authorised person’ under the <i>Caravan Parks and Camping Grounds Regulations 1997</i>.</p>
CONDITIONS:	N/A
REFERENCES:	N/A
DATE ADOPTED:	20/10/2003
LAST REVIEWED:	15/06/2015

4. SERVICE OF INFRINGEMENT NOTICES UNDER THE CARAVAN PARKS AND CAMPING GROUNDS ACT 1995 – AUTHORISED PERSONS

AUTHORISATION FROM:	Local Government
POWER TO AUTHORISE:	Section 23(11) Caravan Parks and Camping Grounds Act 1995 - local government may appoint authorised persons for the purposes detailed in s.23(11) of the <i>Caravan Parks and Camping Grounds Act 1995</i> .
AUTHORISATION TO:	Ranger Services Coordinator, Senior Rangers, Rangers, Trainee Ranger; Emergency Management Coordinator; Cossack Caretakers; Coordinator Environmental Health Services, Environmental Health Officers; Building Coordinator, Senior Building Surveyors, Building Surveyors, Building Compliance Officer; and Manager Regulatory Services.
AUTHORISATION:	Sections 23(2) and (3) Caravan Parks and Camping Grounds Act 1995 Appointed as an 'authorised person' for the purpose of serving infringement notices in accordance with <u>s.23(2) and s.23(3) of the Caravan Parks and Camping Grounds Act 1995.</u>
CONDITIONS:	N/A
REFERENCES:	N/A
DATE ADOPTED:	20/10/2003
LAST REVIEWED:	15/06/2015

5. WITHDRAWAL OF INFRINGEMENT NOTICES UNDER THE CARAVAN PARKS AND CAMPING GROUNDS ACT 1995 – AUTHORISED PERSONS

AUTHORISATION FROM:	Local Government
POWER TO AUTHORISE:	Section 23(11) <i>Caravan Parks and Camping Grounds Act 1995</i> - local government may appoint authorised persons for the purposes detailed in s.23(11) of the <i>Caravan Parks and Camping Grounds Act 1995</i> .
AUTHORISATION TO:	Chief Executive Officer; and Director Development Services.
AUTHORISATION:	Sections 23(5) and (7) <i>Caravan Parks and Camping Grounds Act 1995</i> Appointed as an 'authorised person' for the purpose of extending the period for payment of a modified penalty in accordance with s.23(5). Appointed as an 'authorised person' for the purpose of withdrawing infringement notices in accordance with s.23(7).
CONDITIONS:	N/A
REFERENCES:	N/A
DATE ADOPTED:	17/06/2013
LAST REVIEWED:	15/06/2015

6. **- 9. DOG ACT 1976 – AUTHORISED PERSONS**^[RM1] **UNALLOCATED**

AUTHORISATION FROM:	Local Government
POWER TO AUTHORISE:	Section 29(1) Dog Act 1976 —local government shall appoint persons to exercise on behalf of the local government the powers conferred on an ‘authorised person’ by the <i>Dog Act 1976</i> .
AUTHORISATION TO:	Ranger Services Coordinator, Senior Rangers, Rangers, Trainee Ranger; Emergency Management Coordinator; Regulatory Services Administration Officer.
AUTHORISATION:	Appointed as an ‘authorised person’ for the purposes detailed in the <i>Dog Act 1976</i>, <i>Dog Regulations 1976</i> and <i>Dog (Restricted Breeds) Regulations (No.2) 2002</i> (except for the purposes detailed under r. 13 <i>Dog Regulations 1976</i>). Note, this extends to the functions of an ‘authorised person’ under the Dogs Local Law with the exception of the functions under sections 7.3 and 7.6 relating to infringement notices.
CONDITIONS:	N/A
REFERENCES:	Dogs Local Law
DATE ADOPTED:	20/10/2003
LAST REVIEWED:	15/06/2015

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~~7. SERVICE OF INFRINGEMENT NOTICES UNDER THE DOG ACT 1976 – AUTHORISED PERSONS~~

~~AUTHORISATION FROM:~~

~~Local Government~~

~~POWER TO AUTHORISE:~~

~~Section 29(1) Dog Act 1976~~ – local government shall appoint persons to exercise on behalf of the local government the powers conferred on an authorised person by the *Dog Act 1976*.

~~AUTHORISATION TO:~~

~~Ranger Services Coordinator, Senior Rangers, Rangers, Trainee Ranger; and~~

~~Emergency Management Coordinator.~~

~~AUTHORISATION:~~

~~Regulation 13(2) Dog Regulations 1976~~

~~Appointed as an ‘authorised person’ for the purpose of serving infringement notices in accordance with r.13(2).~~

~~Note, that this extends to the service of infringement notices under section 7.3 of the Dogs Local Law.~~

~~CONDITIONS:~~

~~N/A~~

~~REFERENCES:~~

~~Dogs Local Law~~

~~DATE ADOPTED:~~

~~20/10/2003~~

~~LAST REVIEWED:~~

~~15/06/2015~~

**~~8. WITHDRAWAL OF INFRINGEMENT NOTICES UNDER THE DOG ACT 1976 –
AUTHORISED PERSONS~~**

~~AUTHORISATION FROM:~~

~~Local Government~~

~~POWER TO AUTHORISE:~~

~~Section 29(1) Dog Act 1976~~ – local government shall appoint persons to exercise on behalf of the local government the powers conferred on an authorised person by the *Dog Act 1976*.

~~AUTHORISATION TO:~~

~~Chief Executive Officer; and
Director Development Services.~~

~~AUTHORISATION:~~

~~Regulation 13(6) Dog Regulations 1976~~

~~Appointed as an ‘authorised person’ for the purpose of withdrawing infringement notices in accordance with r.13(6).~~

~~Note, that this extends to the withdrawal of infringement notices under section 7.6 of the Dogs Local Law.~~

~~CONDITIONS:~~

~~N/A~~

~~REFERENCES:~~

~~Dogs Local Law~~

~~DATE ADOPTED:~~

~~20/10/2003~~

~~LAST REVIEWED:~~

~~15/06/2015~~

~~9. DOG ACT 1976 – REGISTRATION OFFICERS~~

~~AUTHORISATION FROM:~~

~~Local Government~~

~~POWER TO AUTHORISE:~~

~~**Section 3(1) Dog Act 1976** – ‘registration officer’ means a person authorised by the local government to effect the registration of dogs pursuant to the *Dog Act 1976*.~~

~~AUTHORISATION TO:~~

~~Ranger Services Coordinator, Senior Rangers,
Rangers, Trainee Ranger;~~

~~Emergency Management Coordinator;~~

~~Customer Service Supervisor, Customer Service
Officers;~~

~~Corporate Services Administration Assistant;~~

~~Reebourne Library Officers;~~

~~Regulatory Services Administration Officer;~~

~~Executive Assistant to the CEO and Mayor;~~

~~DAO – Corporate Services, DAO – Community
Services, DAO – Strategic Projects and
Infrastructure, DAO – Development Services;~~

~~Human Resources Support Officer;~~

~~Planning Administration Officer.~~

~~AUTHORISATION:~~

~~Appointed as a ‘registration officer’ for the purposes
detailed in the *~~Dog Act 1976~~* and *~~Dog Regulations
1976~~*.~~

~~CONDITIONS:~~

~~N/A~~

~~REFERENCES:~~

~~Dogs Local Law~~

~~DATE ADOPTED:~~

~~20/10/2003~~

~~LAST REVIEWED:~~

~~15/06/2015~~

10. BUILDING ACT 2011 – AUTHORISED PERSONS (INCLUDING THOSE APPOINTED FOR THE INSPECTION OF SWIMMING POOLS)

AUTHORISATION FROM:	Local Government
POWER TO AUTHORISE:	Section 96(3) <i>Building Act 2011</i> – local government may, designate a person employed by the local government under the <i>Local Government Act 1995</i> section 5.36, as an authorised person for the purposes detailed in s96(3).
AUTHORISATION TO:	Building Coordinator, Senior Building Surveyors, Building Surveyors, Building Compliance Officer; and Manager Regulatory Services.
AUTHORISATION:	Appointed as an ‘authorised person’ for the purposes detailed in the <i>Building Act 2011</i> and the <i>Building Regulations 2012</i> (including the inspection of private swimming pools enclosures under regulation 53).
CONDITIONS:	N/A
REFERENCES:	N/A
DATE ADOPTED:	17/06/2013
LAST REVIEWED:	15/06/2015

11. SERVICE OF INFRINGEMENT NOTICES UNDER THE BUILDING ACT 2011 – AUTHORISED OFFICERS

AUTHORISATION FROM:	Local Government
POWER TO AUTHORISE:	Regulation 70 (2) <i>Building Regulations 2012</i> – a permit authority that is a local government may, in writing, appoint to be an authorised officer for the purposes of the <i>Criminal Procedure Act 2004</i> section 6(b) a person appointed under the <i>Local Government Act 1995</i> section 9.10(1) and authorised for the purpose of performing functions under section 9.16 of that Act.
AUTHORISATION TO:	Building Coordinator, Senior Building Surveyors, Building Surveyors, Building Compliance Officer; and Manager Regulatory Services.
AUTHORISATION:	Appointed as an ‘authorised officer’ in relation to the service of infringement notices under Part 2 of the <i>Criminal Procedure Act 2004</i> .
CONDITIONS:	N/A
REFERENCES:	N/A
DATE ADOPTED:	17/06/2013
LAST REVIEWED:	15/06/2015

12. WITHDRAWAL OF INFRINGEMENT NOTICES UNDER THE BUILDING ACT 2011 – APPROVED

AUTHORISATION FROM:	Local Government
POWER TO AUTHORISE:	Regulation 70 (1) Building Regulations 2012 – a permit authority that is a local government may, in writing, appoint to be an approved officer for the purposes of the Criminal Procedure Act 2004 section 6(a), a person appointed under the Local Government Act 1995 section 9.10(1) and authorised for the purpose of performing functions under section 9.19 or 9.20 of that Act.
AUTHORISATION TO:	Chief Executive Officer; and Director Development Services.
AUTHORISATION:	Appointed as an ‘approved officer’ in relation to the withdrawal of infringement notices and the extension of the period for paying modified penalties under Part 2 of the Criminal Procedure Act 2004 .
CONDITIONS:	N/A
REFERENCES:	N/A
DATE ADOPTED:	17/06/2013
LAST REVIEWED:	15/06/2015

13. AUTHORISED OFFICERS UNDER THE FOOD ACT 2008

AUTHORISATION FROM:	Local Government
POWER TO AUTHORISE:	Section 122(1) Food Act 2008 – local government (as enforcement agency) may appoint a person to be an ‘authorised officer’ provided that the requirements of s.122(1) are met.
AUTHORISATION TO:	Chief Executive Officer; Director of Development Services; Coordinator Environmental Health Services, Environmental Health Officers; and Manager Regulatory Services.
AUTHORISATION:	Appointed as an ‘authorised officer’ for the purposes detailed in the Food Act 2008 .
CONDITIONS:	N/A
REFERENCES:	N/A
DATE ADOPTED:	16/11/2009
LAST REVIEWED:	15/06/2015

14. SERVICE OF INFRINGEMENT NOTICES UNDER THE FOOD ACT 2008

AUTHORISATION FROM:	Local Government
POWER TO AUTHORISE:	Section 126(13) Food Act 2008 - local government (as enforcement agency) may appoint 'authorised officers' as 'designated officers' for the purposes described in s.126(13).
AUTHORISATION TO:	Coordinator Environmental Health Services, Environmental Health Officers; and Manager Regulatory Services.
AUTHORISATION:	Section 126(2) and (3) Food Act 2008 Appointed as a 'designated officer' for the purpose of serving infringement notices in accordance with s.126(2).
CONDITIONS:	N/A
REFERENCES:	N/A
DATE ADOPTED:	16/11/2009
LAST REVIEWED:	15/06/2015

15. WITHDRAWAL OF INFRINGEMENT NOTICES UNDER THE FOOD ACT 2008

AUTHORISATION FROM:	Local Government
POWER TO AUTHORISE:	Section 126(13) Food Act 2008 – local government (as enforcement agency) may appoint ‘authorised officers’ as ‘designated officers’ for the purposes described in s.126(13).
AUTHORISATION TO:	Chief Executive Officer; and Director Development Services.
AUTHORISATION:	Section 126(6) and (7) Food Act 2008 Appointed as a ‘designated officer’ for the purpose of extending the period for payment of a modified penalty in accordance with s.126(6). Appointed as a ‘designated officer’ for the purpose of withdrawing infringement notices in accordance with s.126(7).
CONDITIONS:	N/A
REFERENCES:	N/A
DATE ADOPTED:	16/11/2009
LAST REVIEWED:	15/06/2015

16. LITTER ACT 1979 – HONORARY INSPECTORS

AUTHORISATION FROM:	Local Government
POWER TO AUTHORISE:	Section 27AA Litter Act 1979 – 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.
AUTHORISATION TO:	Front of House Officers
AUTHORISATION:	Appointed as an 'honorary inspector' for the purposes detailed in the Litter Act 1979 .
CONDITIONS:	N/A
REFERENCES:	N/A
DATE ADOPTED:	17/06/2013
LAST REVIEWED:	15/06/2015

17. LITTER ACT 1979 – AUTHORISED OFFICERS AND SERVICE OF INFRINGEMENT NOTICES

AUTHORISATION FROM:	Local Government
POWER TO AUTHORISE:	<p>Section 26 (c) (ii) Litter Act 1979 – an ‘authorised officer’ is any person who is an employee of the local government.</p> <p>Section 26 (c) (iii) Litter Act 1979 – an ‘authorised officer’ is any person who is an honorary inspector appointed by the local government under s. 27AA.</p>
AUTHORISATION TO:	<p>Ranger Services Coordinator, Senior Rangers, Rangers, Trainee Ranger;</p> <p>Cossack Caretakers;</p> <p>Emergency Management Coordinator; and</p> <p>Airport Property Officer, Airport Administration Officer, Airport Terminal and Compliance Coordinator, Airport Airside Coordinator, Airport Reporting Officers, Front of House Officers.</p>
AUTHORISATION:	An ‘authorised officer’ for the purposes detailed in the Litter Act 1979 and Litter Regulations 1981 .
CONDITIONS:	N/A
REFERENCES:	N/A
DATE ADOPTED:	20/10/2003
LAST REVIEWED:	15/06/2015

18. WITHDRAWAL OF INFRINGEMENT NOTICES UNDER THE LITTER ACT 1979

AUTHORISATION FROM:	Local Government
POWER TO AUTHORISE:	Section 30 (4a) Litter Act 1979 – a withdrawal notice sent under subsection (4) shall be signed by a person appointed in writing to withdraw infringement notices by the public authority on behalf of which the infringement notice was served.
AUTHORISATION TO:	Chief Executive Officer; and Director Development Services.
AUTHORISATION:	Authority to withdraw infringement notices in accordance with s.30 (4) and (4a) of the Litter Act 1979 .
CONDITIONS:	N/A
REFERENCES:	N/A
DATE ADOPTED:	17/06/2013
LAST REVIEWED:	15/06/2015

19. CEMETERIES ACT 1986 – AUTHORISATIONS

AUTHORISATION FROM:	Local Government
POWER TO AUTHORISE:	<p>Section 10(1) <i>Cemeteries Act 1986</i> – A Board may appoint such employees, either full time or part time, as it considers necessary to enable it to carry out its functions.</p> <p>Section 64(1) <i>Cemeteries Act 1986</i> – an employee of a Board may be authorised in writing signed by the chairman of the Board to give infringement notices.</p>
AUTHORISATION TO:	<p>Chief Executive Officer;</p> <p>Director Corporate Services;</p> <p>Manager Governance and Organisational Strategy, Customer Service Supervisor;</p> <p>Manager Infrastructure Services, Works Supervisor, Operations Coordinator (Infrastructure); and</p> <p>Ranger Services Coordinator, Senior Rangers, Rangers, Trainee Ranger.</p>
AUTHORISATION:	<p>Appointed to exercise the functions of the Board, the CEO and Authorised Officers/Persons under the <i>Cemeteries Act 1986</i> and <i>Cemeteries Local Law 2003</i>, including the authority to issue and withdraw infringement notices under section 63 of the <i>Cemeteries Act 1986</i>.</p>
CONDITIONS:	<p>This appointment does not extend to functions under Division 4 of Part V of the <i>Cemeteries Act 1986</i> and Part VIII of the <i>Cemeteries Act 1986</i>.</p> <p>Any expenditure authorised must be within the limit detailed in the Purchasing Authority Limits form.</p> <p>The Customer Service Supervisor is only appointed in relation to funeral permits under sections 20 and 21 of the <i>Cemeteries Act 1986</i> and grants of rights of burial under sections 25, 26, 27 and 28 of the <i>Cemeteries Act 1986</i>.</p> <p>The Manager Infrastructure Services is only appointed in relation to the following functions:</p> <ul style="list-style-type: none">• authorised officer/person• issuance of infringement notices under section 63 of the <i>Cemeteries Act 1986</i>• removal or alteration of memorials under sections 31 and 32 of the <i>Cemeteries Act 1986</i>• authorising expenditure under section 47 of the <i>Cemeteries Act 1986</i>

- approvals and permissions under clauses 7.8, 7.9 and 8.3 of the Cemeteries Local Law 2003.

The Works Supervisor and Operations Coordinator (Infrastructure) are only appointed in relation to the following functions:

- authorised officer/person
- issuance of infringement notices under section 63 of the **Cemeteries Act 1986**.
- authorised expenditure under section 47 of the **Cemeteries Act 1986**
- removal or alteration of memorials under section 31 of the **Cemeteries Act 1986**.

The Ranger Services Coordinator, Senior Rangers, Rangers and Trainee Ranger are only appointed in relation to the following functions:

- authorised officer/person
- issuance of infringement notices under section 63 of the **Cemeteries Act 1986**
- removal or alteration of memorials under section 31 of the **Cemeteries Act 1986**.

The Director Corporate Services and Manager Governance and Organisational Strategy are authorised to exercise all of the functions of the Board and the CEO under the **Cemeteries Act 1986** and the Cemeteries Local Law, **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 Board and the CEO under the **Cemeteries Act 1986** and the Cemeteries Local Law, is the only person authorised to withdraw infringement notices under section 63 of the **Cemeteries Act 1986**.

REFERENCES:

Cemeteries Local Law 2003

DATE ADOPTED:

17/06/2013

LAST REVIEWED:

15/06/2015

20. LOCAL LAWS – AUTHORISED PERSONS AND WITHDRAWAL OF INFRINGEMENT NOTICES

AUTHORISATION FROM:	Local Government
POWER TO AUTHORISE:	Section 9.10 Local Government Act 1995 – local government may, in writing appoint persons or classes of persons to be authorised for the purposes of performing particular functions.
AUTHORISATION TO:	Chief Executive Officer
AUTHORISATION:	<p>Appointed as an “authorised person/officer” with respect to the following local laws:</p> <ul style="list-style-type: none">• Parking & Parking Facilities Local Law;• Signs, Hoardings and Bill Posting By-Law;• Tidepole (Sam’s) Island Local Law;• Fencing Local Law;• Local Government Property Local Law;• Animals, Environment and Nuisance Local Law; and• Activities in Thoroughfares & Public Places and Trading Local Law. <p>Note, that this extends to the extension of the period for payment of a modified penalty under s.9.19 of the Local Government Act 1995 and the withdrawal of an infringement notice under s.9.20 but does not include the service of an infringement notice under s.9.16.</p>
CONDITIONS:	N/A
REFERENCES:	N/A
DATE ADOPTED:	17/06/2013
LAST REVIEWED:	15/06/2015

21. – 24. UNALLOCATED CAT ACT 2011 – AUTHORISED PERSONS

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AUTHORISATION FROM:	Local Government
POWER TO AUTHORISE:	Section 48(1) Cat Act 2011 – A local government may appoint persons or classes of persons to be authorised for the purposes of performing particular functions under the Cat Act 2011 .
AUTHORISATION TO:	Ranger Services Coordinator, Senior Rangers, Rangers, Trainee Ranger; Emergency Management Coordinator; Manager Regulatory Services; Regulatory Services Administration Officer; Executive Assistant to the CEO and Mayor; DAO – Corporate Services, DAO – Community Services, DAO – Strategic Projects and Infrastructure, DAO – Development Services; Human Resources Support Officer; Planning Administration Officer; Customer Service Supervisor, Customer Service Officers; Corporate Services Administration Assistant; Reebourne Library Officers.
AUTHORISATION:	Appointed as an ‘authorised person’ for the purposes detailed in the Cat Act 2011 and Cat Regulations 2012 (except for the purposes of giving or withdrawing infringement notices under Sections 62, 64 and 65 of the Cat Act 2011).
CONDITIONS:	The following officers are ONLY authorised persons for the purposes of cat registration under Section 9 of the Cat Act 2011:

~~Executive Assistant to the CEO and Mayor;~~
~~DAO — Corporate Services, DAO — Community Services, DAO — Strategic Projects and Infrastructure, DAO — Development Services;~~
~~Human Resources Support Officer;~~
~~Planning Administration Officer;~~
~~Customer Service Supervisor, Customer Service Officers;~~
~~Corporate Services Administration Assistant;~~
~~Roebourne Library Officers.~~

~~The following officers are authorised persons for all purposes under the **Cat Act 2011** and **Cat Regulations 2012**, including the registration of cats under Section 9 of the **Cat Act 2011**, but excluding the giving or withdrawing of infringement notices under Sections 62, 64 and 65 of the **Cat Act 2011**:~~

~~Ranger Services Coordinator, Senior Rangers, Rangers, Trainee Ranger;~~
~~Emergency Management Coordinator;~~
~~Manager Regulatory Services;~~
~~Regulatory Services Administration Officer.~~

REFERENCES:

~~Authorisation 22 — Service of Infringement Notices under the **Cat Act 2011** — Authorised Persons;~~
~~Authorisation 23 — Withdrawal of Infringement Notices under the **Cat Act 2011**.~~

DATE ADOPTED:

~~19/08/2013~~

LAST REVIEWED:

~~20/07/2015~~

~~22. SERVICE OF INFRINGEMENT NOTICES UNDER THE CAT ACT 2011 – AUTHORISED PERSONS~~

AUTHORISATION FROM:	Local Government
POWER TO AUTHORISE:	Section 48(1) Cat Act 2011 – A local government may appoint persons or classes of persons to be authorised for the purposes of performing particular functions under the Cat Act 2011 .
AUTHORISATION TO:	Ranger Services Coordinator, Senior Rangers, Rangers, Trainee Ranger; Emergency Management Coordinator; and Manager Regulatory Services.
AUTHORISATION:	Section 62(1) Cat Act 2011 Appointed as an ‘authorised person’ for the purpose of serving infringement notices in accordance with s.62(1).
CONDITIONS:	N/A
REFERENCES:	Cat Regulations 2012
DATE ADOPTED:	19/08/2013
LAST REVIEWED:	15/06/2015

~~23. WITHDRAWAL OF INFRINGEMENT NOTICES UNDER THE CAT ACT 2011~~

AUTHORISATION FROM:	Local Government
POWER TO AUTHORISE:	<i>Section 64 and 65(1) Cat Act 2011</i>
AUTHORISATION TO:	Chief Executive Officer
AUTHORISATION:	<i>Section 64 and 65(1) Cat Act 2011</i> Appointed for the purpose of extending the period for payment of a modified penalty in accordance with s.64. Appointed for the purpose of withdrawing infringement notices in accordance with s.65(1).
CONDITIONS:	N/A
REFERENCES:	<i>Cat Regulations 2012</i>
DATE ADOPTED:	19/08/2013
LAST REVIEWED:	15/06/2015

~~24. UNALLOCATED~~

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25. LAND ADMINISTRATION ACT 1997 – CROWN LAND – REQUESTS TO MINISTER FOR LANDS

AUTHORISATION FROM:	Local Government
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.
AUTHORISATION TO:	Chief Executive Officer; Director Development Services; Manager Planning Services, Principal Statutory Planner; and Manager Regulatory Services, Ranger Services Coordinator.
AUTHORISATION:	<p>Authorised to request the Minister for Lands to exercise his powers under the Land Administration Act 1997 in relation to the following matters:</p> <ol style="list-style-type: none">1. Dedication of roads through survey plans for Crown land subdivision (section 28)2. Reserve of Crown land for one or more purposes in the public interest (section 41)3. Placing reserve under care, control and management of the City of Karratha and amending Management Order to include power to lease (section 46)4. Grant leases of unmanaged reserves for reserve or other purposes (sections 47 and 48)5. Revocation of existing Management Order (section 50)6. Cancellation or change of purpose or amendment of the boundaries of a reserve (section 51)7. Acquisition as Crown land:<ol style="list-style-type: none">i. alienated land designated for a public purpose on plan of surveyii. private roadiii. alienated land in abolished townsite (section 52)8. Grant of a licence over Crown land for any purpose (section 91)9. Grant of an easement over Crown land for any purpose specified (section 144)10. Action against a person or persons who commit an offence on Crown land without permission or reasonable excuse (section 267)
CONDITIONS:	The Director Development Services, Manager Planning Services and Principal Statutory Planner are only authorised to make requests in relation to items 9 and 10 above.

The Manager Regulatory Services and Ranger Services Coordinator are only authorised to make requests in relation to item 10 above.

Items 1 and 2 can only be requested if minor and consistent with Council adopted plan, policy or adopted Council position or where no objections are received.

Items 4 and 5 can only be requested if consistent with Council adopted plan, policy or adopted Council position or where no objections are received.

Items 3, 7 and 8 can only be requested if consistent with Council adopted plan, policy or adopted Council position.

Item 6 can only be requested if minor and of no substantial consequence.

Item 9 can only be requested if no objections are received.

Before making a request in relation to item 7, the following regulations must be complied with:

- Regulation 5 **Land Administration Regulations 1998** – Procedures to be followed by local government before requesting acquisition of alienated land designated for public purpose (section 52(1)(a) **Land Administration Act 1997**)
- Regulation 6 **Land Administration Regulations 1998** – Procedures to be followed by local government before requesting acquisition of private road (section 52(1)(b) **Land Administration Act 1997**)
- Regulation 7 **Land Administration Regulations** – Procedures to be followed by local government before requesting acquisition of alienated land in a townsite (section 52(1)(c) **Land Administration Act 1997**)

REFERENCES: N/A

DATE ADOPTED: 15/06/2015

LAST REVIEWED: 15/06/2015

26. LIQUOR CONTROL ACT 1988 – CERTIFICATE OF LOCAL GOVERNMENT UNDER SECTION 39 AND CERTIFICATE OF LOCAL PLANNING AUTHORITY UNDER SECTION 40 – AUTHORISED OFFICER

AUTHORISATION FROM:	Local Government
POWER TO AUTHORISE:	Section 9.10 <i>Local Government Act 1995</i> – the local government may, in writing, appoint persons or classes of persons to be authorised for the purposes of performing particular functions.
AUTHORISATION TO:	Manager Regulatory Services, Coordinator Environmental Health Services and Environmental Health Officers. Director Development Services, Manager Planning Services, Principal Statutory Planner and Senior Statutory Planners.
AUTHORISATION:	Appointed as an ‘authorised officer’ for the purposes of signing Certificate of Local Government under section 39 of the <i>Liquor Control Act 1988</i> and Certificate of Local Planning Authority under section 40 of the <i>Liquor Control Act 1988</i> .
CONDITIONS:	The Manager Regulatory Services, Coordinator Environmental Health Services and Environmental Health Officers are authorised to sign section 39 certificates only. Director Development Services, Manager Planning Services, Principal Statutory Planner and Senior Statutory Planners are authorised to sign section 40 certificates only.
REFERENCES:	N/A
DATE ADOPTED:	15/06/2015
LAST REVIEWED:	15/06/2015

27. GAMING AND WAGERING COMMISSION ACT 1987 – CERTIFICATION OF LOCAL GOVERNMENT AUTHORITY UNDER SECTION 55

AUTHORISATION FROM:	Local Government
POWER TO AUTHORISE:	Section 9.10 <i>Local Government Act 1995</i> – the local government may, in writing, appoint persons or classes of persons to be authorised for the purposes of performing particular functions.
AUTHORISATION TO:	Manager Regulatory Services, Coordinator Environmental Health Services and Environmental Health Officers.
AUTHORISATION:	Authorised to issue Certification of Local Government Authority under section 55 of the <i>Gaming and Wagering Commission Act 1987</i> .
CONDITIONS:	N/A
REFERENCES:	N/A
DATE ADOPTED:	15/06/2015
LAST REVIEWED:	15/06/2015

28. TIDEPOLLE ISLAND LOCAL LAW 2007 – AUTHORITY TO ISSUE VISITOR'S PERMITS:

AUTHORISATION FROM:	Local Government
POWER TO AUTHORISE:	Section 9.10(1) <i>Local Government Act 1995</i> – local government may, in writing, appoint persons or classes of persons to be authorised for the purposes of performing particular functions.
AUTHORISATION TO:	Manager Governance and Organisational Strategy, Customer Service Supervisor; Dampier Library Officers; Karratha Visitor Centre Information Consultants, Karratha Visitor Centre Assistant Manager and Karratha Visitor Centre General Manager.
AUTHORISATION:	Authorised to issue visitor's permits under the Tidepole Island Local Law 2007 only.
CONDITIONS:	The above persons are not authorised to perform any other functions of authorised officers/persons under the Tidepole Island Local Law 2007.
REFERENCES:	Tidepole Island Local Law 2007. For the avoidance of doubt: The Manager Regulatory Services, Ranger Services Coordinator, Senior Rangers, Rangers and Trainee Ranger are Authorised Persons/Officers with respect to the Tidepole Island Local Law 2007, therefore they are also authorised to issue visitors permits. Refer to Authorisation 6 – Local Laws – Authorised Persons and Service of Infringement Notices.
DATE ADOPTED:	15/06/2015
LAST REVIEWED:	15/06/2015

AUTHORISATIONS FROM CHIEF EXECUTIVE OFFICER

1. BUSH FIRES ACT 1954 – AUTHORISED OFFICERS

AUTHORISATION FROM:	Chief Executive Officer
POWER TO AUTHORISE:	<i>Regulations 16 and 24 Bush Fires Regulations 1954</i> <i>Section 24B Bush Fires Act 1954</i>
AUTHORISATION TO:	Ranger Services Coordinator, Senior Rangers, Rangers, Trainee Ranger; Emergency Management Coordinator; and Manager Regulatory Services.
AUTHORISATION:	Appointed as an 'authorised officer' for the purposes detailed in the <i>Bush Fires Act 1954</i> and <i>Bush Fires Regulations 1954</i> . Authorised to carry out the functions detailed in <i>s.24B Bush Fires Act 1954</i> .
CONDITIONS:	N/A
REFERENCES:	City of Karratha Bush Fire Brigades Local Law
DATE ADOPTED:	17/06/2013
LAST REVIEWED:	15/06/2015

2. SERVICE OF INFRINGEMENT NOTICES UNDER THE PLANNING AND DEVELOPMENT ACT 2005 – DESIGNATED PERSONS

AUTHORISATION FROM:	Chief Executive Officer
POWER TO AUTHORISE:	Section 234(1) Planning and Development Act 2005 – 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 Planning and Development Act 2005 .
AUTHORISATION TO:	Manager Planning Services, Principal Statutory Planner, <u>Planning/Compliance Officer.</u>
AUTHORISATION:	Section 228 Planning and Development Act 2005 Appointed as a ‘designated person’ for the purpose of serving infringement notices in accordance with s.228.
CONDITIONS:	N/A
REFERENCES:	Planning and Development Regulations 2009
DATE ADOPTED:	20/8/2012
LAST REVIEWED:	15/06/2015

3. WITHDRAWAL OF INFRINGEMENT NOTICES UNDER THE PLANNING AND DEVELOPMENT ACT 2005 – DESIGNATED PERSONS

AUTHORISATION FROM:	Chief Executive Officer
POWER TO AUTHORISE:	Section 234(1) Planning and Development Act 2005 – 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 Planning and Development Act 2005 .
AUTHORISATION TO:	Director Development Services
AUTHORISATION:	Sections 230 and 231 Planning and Development Act 2005 Appointed as a ‘designated person’ for the purpose of extending the period for payment of a modified penalty in accordance with s.230. Appointed as a ‘designated person’ for the purpose of withdrawing infringement notices in accordance with s.231.
CONDITIONS:	N/A
REFERENCES:	Planning and Development Regulations 2009
DATE ADOPTED:	20/8/2012
LAST REVIEWED:	15/06/2015

4. ~~CITY OF KARRATHA~~ TOWN PLANNING ~~SCHEME NO.8~~ – POWERS OF ENTRY

AUTHORISATION FROM:	Chief Executive Officer
POWER TO AUTHORISE:	<u>Schedule 2 Part 10 Section 79(1) of the Planning and Development (Local Planning Schemes) Regulations 2015</u> – 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 <u>Planning and Development (Local Planning Schemes) Regulations 2015</u> Clause 9.1(c) Town Planning Scheme No.8 (by virtue of delegation from Council under Clause 9.2.1)
AUTHORISATION TO:	Manager Planning Services, Principal Statutory Planner, Senior Statutory Planners, Senior Strategic Planners, Statutory Planners.
AUTHORISATION:	<u>Schedule 2 Part 10 Section 79(2) of the Planning and Development (Local Planning Schemes) Regulations 2015</u> <u>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 any thing in or on the building or land.</u> Clause 9.1(c) Town Planning Scheme No.8 Authority to, at all reasonable times and with such assistance as may be required, enter any building or land for the purpose of ascertaining whether the provisions of the Scheme are being observed.
CONDITIONS:	N/A
REFERENCES:	N/A
DATE ADOPTED:	17/06/2013
LAST REVIEWED:	15/06/2015

5. ANIMAL WELFARE ACT 2002 – AUTHORISED PERSONS

AUTHORISATION FROM:	Chief Executive Officer
POWER TO AUTHORISE:	Section 64(1)(e) Animal Welfare Act 2002 – 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 Animal Welfare Act 2002 .
AUTHORISATION TO:	Senior Rangers, Rangers and Trainee Ranger; Emergency Management Coordinator; and Ranger Services Coordinator (when not appointed as an ‘inspector’ under the Animal Welfare Act 2002).
AUTHORISATION:	Appointed as an ‘authorised person’ for the purposes detailed in the Animal Welfare Act 2002 .
CONDITIONS:	Section 64(4) Animal Welfare Act 2002 – a person cannot be both an ‘authorised person’ and ‘inspector’.
REFERENCES:	N/A
DATE ADOPTED:	17/06/2013
LAST REVIEWED:	15/06/2015

6. LOCAL LAWS – AUTHORISED PERSONS AND SERVICE OF INFRINGEMENT NOTICES

AUTHORISATION FROM:	Chief Executive Officer
POWER TO AUTHORISE:	Section 9.10 Local Government Act 1995 (by virtue of delegation from Local Government under s. 5.42 Local Government Act 1995).
AUTHORISATION TO:	<p>Ranger Services Coordinator, Senior Rangers, Rangers, Trainee Ranger;</p> <p>Building Coordinator, Senior Building Surveyors, Building Surveyors, Building Compliance Officer;</p> <p>Manager Regulatory Services, Emergency Management Coordinator;</p> <p>Environmental Health Officers, Coordinator Environmental Health Services;</p> <p>Airport General Manager <u>Manager Airport</u>, Airport Airside Coordinator, Airport Property Officer, Airport Terminal and Compliance Coordinator, Airport Administration Officer, Airport Reporting Officers, Front of House Officers; and</p> <p>Manager Leisure Services, Manager Recreation Facilities.</p>
AUTHORISATION:	<p>Appointed as an “authorised person/officer” with respect to the following local laws:</p> <ul style="list-style-type: none">• Parking & Parking Facilities Local Law;• Signs, Hoardings and Bill Posting By-Law;• Tidepole (Sam’s) Island Local Law;• Fencing Local Law;• Local Government Property Local Law;• Animals, Environment and Nuisance Local Law; and• Activities in Thoroughfares & Public Places and Trading Local Law. <p>Note, that this extends to the service of infringement notices under s.9.16 of the Local Government Act 1995 but does not include the extension of the period for payment of a modified penalty under s.9.19 or the withdrawal of an infringement notice under s.9.20.</p>
CONDITIONS:	<p>The Manager Regulatory Services is appointed under all of the local laws listed above.</p> <p>The Ranger Services Coordinator, Senior Rangers, Rangers and Trainee Ranger are appointed under all of the local laws listed above.</p>

The Environmental Health Officers and Coordinator Environmental Health Services are appointed under the Animals, Environment and Nuisance Local Law, Activities in Thoroughfares & Public Places and Trading Local Law.

The Building Coordinator, Senior Building Surveyors, Building Surveyors, Building Compliance Officer are appointed under the Fencing Local Law, Local Government Property Local Law, Signs, Hoardings and Bill Posting By-Law and Activities in Thoroughfares & Public Places and Trading Local Law only.

The ~~Airport General Manager~~ ~~Manager Airport~~, Airport Airside Coordinator, Airport Property Officer, Airport Terminal and Compliance Coordinator, ~~Airport Administration Officer~~, Airport Reporting Officers, Front of House Officers are appointed under the Local Government Property Local Law, Parking & Parking Facilities Local Law and Signs, Hoardings and Bill Posting By-Law.

The Manager Leisure Services, Manager Recreation Facilities are appointed under the Local Government Property Local Law only.

The Emergency Management Coordinator is appointed under the Parking & Parking Facilities Local Law only.

REFERENCES:	N/A
DATE ADOPTED:	20/10/2003
LAST REVIEWED:	15/06/2015

7. LOCAL LAWS – AUTHORISED PERSONS AND WITHDRAWAL OF INFRINGEMENT NOTICES

AUTHORISATION FROM:	Chief Executive Officer
POWER TO AUTHORISE:	<i>Section 9.10 Local Government Act 1995</i> (by virtue of delegation from Local Government under s. 5.42 <i>Local Government Act 1995</i>).
AUTHORISATION TO:	Director Development Services
AUTHORISATION:	<p>Appointed as an “authorised person/officer” with respect to the following local laws:</p> <ul style="list-style-type: none">• Parking & Parking Facilities Local Law;• Signs, Hoardings and Bill Posting By-Law;• Tidepole (Sam’s) Island Local Law;• Fencing Local Law;• Local Government Property Local Law;• Animals, Environment and Nuisance Local Law; and• Activities in Thoroughfares & Public Places and Trading Local Law. <p>Note, that this extends to the extension of the period for payment of a modified penalty under s.9.19 of the <i>Local Government Act 1995</i> and the withdrawal of an infringement notice under s.9.20 but does not include the service of an infringement notice under s.9.16.</p>
CONDITIONS:	N/A
REFERENCES:	N/A
DATE ADOPTED:	20/10/2003
LAST REVIEWED:	15/06/2015

8. POWER TO REMOVE AND IMPOUND GOODS – AUTHORISED PERSONS

AUTHORISATION FROM:	Chief Executive Officer
POWER TO AUTHORISE:	Sections 3.39 and 3.40A Local Government Act 1995 (by virtue of delegation from Local Government under s. 5.42 Local Government Act 1995).
AUTHORISATION TO:	Manager Infrastructure Services; Director Community Services; Ranger Services Coordinator, Senior Rangers, Rangers, Trainee Ranger; Emergency Management Coordinator; and Manager Waste Services.
AUTHORISATION:	Authority to remove and impound goods from a public place if the goods present a hazard to public safety or they obstruct the lawful use of any place. Authority to remove and impound 'abandoned vehicle wrecks'.
CONDITIONS:	N/A
REFERENCES:	Sections 3.40 and 3.41 Local Government Act 1995.
DATE ADOPTED:	20/10/2003
LAST REVIEWED:	15/06/2015

9. AUTHORISED OFFICER TO PROSECUTE ON BEHALF OF CITY OF KARRATHA

AUTHORISATION FROM:	Chief Executive Officer
POWER TO AUTHORISE:	Section 9.29(2)(b) Local Government Act 1995 – 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.
AUTHORISATION TO:	Kim Sparks (Senior Ranger)
AUTHORISATION:	Authorised to represent the City of Karratha as Prosecutor under section 172(3) of the Criminal Procedure Act 2004 and section 9.29 of the Local Government Act 1995 .
CONDITIONS:	N/A
REFERENCES:	N/A
DATE ADOPTED:	18/08/2014
LAST REVIEWED:	28/07/2015

10. BUSH FIRES ACT 1954 – BUSH FIRE CONTROL OFFICERS

AUTHORISATION FROM:	Chief Executive Officer
POWER TO AUTHORISE:	<p>Section 38(1) Bush Fires Act 1954 - a local government may appoint such persons as it thinks necessary to be its bush fire control officers.</p> <p>Section 48 Bush Fires Act 1954 – a local government may, in writing, delegate to its chief executive officer the performance of any of its functions under the Bush Fires Act 1954 (refer to Delegation 23 – <i>Bush Fires Act 1954</i>).</p>
AUTHORISATION TO:	<p>Michael Booth – Emergency Management Coordinator (Chief Bush Fire Control Officer)</p> <p>Darrell Hutchens – Ranger Services Coordinator (Deputy Chief Bush Fire Control Officer)</p> <p>Kim Sparks – Senior Ranger</p> <p>Rajesh Bhardwaj – Ranger</p> <p>Kate Glover – Ranger</p> <p>Sheryl Thomason Mickael Dequen – Ranger</p> <p>Morgwn Jones – CBFCO Shire of Ashburton</p> <p>Peter Wilden – CBFCO Town of Port Hedland</p>
AUTHORISATION:	Appointed as a Bush Fire Control Officer for the City of Karratha under the Bush Fires Act 1954 .
CONDITIONS:	The local government shall cause notice of an appointment made under section 38(1) <i>Bush Fires Act 1954</i> to be published at least once in a newspaper circulating in its district (s 38(2A)) and shall issue the Bush Fire Control Officer with a certificate of appointment (s 38(2E)).
REFERENCES:	City of Karratha Bush Fire Brigades Local Law; Bush Fires Regulations 1954; Authorisation 1 – Bush Fires Act 1954 – Authorised Officers; Delegation 23 – Bush Fires Act 1954; Delegation 24 – Bush Fires Act 1954 – Infringements.
DATE ADOPTED:	11/11/2015
LAST REVIEWED:	11/11/2015

DELEGATIONS

1. APPOINTMENT OF ACTING CEO

DELEGATED BY:	Local Government
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.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	Authority to appoint an officer in the role of Acting Chief Executive Officer, in the absence of a Chief Executive Officer.
CONDITIONS:	<p>The appointment must be made in writing and is to be for a maximum period of four (4) weeks.</p> <p>The role of Acting Chief Executive Officer will assume all of the Authorisations and Delegations of the Chief Executive Officer, unless expressly written otherwise.</p>
REFERENCES:	<p>Policy CH9 – Appointment of an Acting Chief Executive Officer</p> <p>Sections 5.36, 5.39(1a) Local Government Act 1995</p> <p>Regulation 18A(1)(b) Local Government (Administration) Regulations 1996</p>
POWER TO SUB-DELEGATE:	Yes - s.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 .
SUB-DELEGATED TO:	Not sub-delegated.
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.
DATE ADOPTED:	20/10/2003
LAST REVIEWED:	15/06/2015

2. LEGAL ADVICE - GENERAL

DELEGATED BY:	Local Government
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.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	Authority to obtain legal advice and opinion as deemed necessary for the proper legal management of the City of Karratha.
CONDITIONS:	N/A
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	Yes – s.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 .
SUB-DELEGATED TO:	Director Community Services; Director Development Services; Director Strategic Projects & Infrastructure; and Director Corporate Services.
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 legal advisors 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.
DATE ADOPTED:	20/10/2003
LAST REVIEWED:	15/06/2015

3. LEGAL REPRESENTATION FOR PRESENT AND FORMER ELECTED MEMBERS AND STAFF OF THE CITY OF KARRATHA

DELEGATED BY:	Local Government
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.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	<p>In cases of urgency, authority to authorise interim assistance for legal representation for council members and employees (including past members and former employees), up to a maximum of \$5,000.00.</p> <p>In cases of emergency, authority to approve applications for additional assistance, not exceeding \$5,000.00 per application, subject to prior consultation and consent of the City Mayor.</p>
CONDITIONS:	N/A
REFERENCES:	<p>Policy CG04 – Legal Representation & Cost Indemnification</p> <p>Section 6.7(2) Local Government Act 1995 and Section 9.56 Local Government Act 1995</p>
POWER TO SUB-DELEGATE:	Yes – s.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 .
SUB-DELEGATED TO:	Not sub-delegated.
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.
DATE ADOPTED:	20/10/2003
LAST REVIEWED:	15/06/2015

4. PAYMENTS FROM MUNICIPAL AND TRUST FUND AND TRANSFER TO AND FROM RESERVE ACCOUNTS

DELEGATED BY:	Local Government
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.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	Regulation 12 Local Government (Financial Management) Regulations 1996 Authority to make payments from the municipal fund and trust fund. Section 6.11 Local Government Act 1995 This includes the transfer of funds to and from Reserve accounts as allowed for in the budget.
CONDITIONS:	N/A
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	Yes - s.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 .
SUB-DELEGATED TO:	Director Community Services, Director Development Services, Director Strategic Projects & Infrastructure, Director Corporate Services; and Manager Financial Services/CFO, Management Accountant.
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.
DATE ADOPTED:	20/10/2003
LAST REVIEWED:	15/06/2015

5. AUTHORISATION OF EXPENDITURE FROM MUNICIPAL AND TRUST FUND

DELEGATED BY:	Local Government
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.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	Sections 6.7 and 6.9 Local Government Act 1995 Authority to authorise expenditure from the municipal fund and trust fund.
CONDITIONS:	<ul style="list-style-type: none">• All purchases must be within budget allocation or through Council resolution;• Purchase of plant must be approved through the Plant Replacement Advisory Group;• Purchase authority is only permissible to accounts where responsibility lies with the appropriate Manager/Coordinator; and• All goods and services to be acquired through a tendering or expression of interest process will require the CEO or Director's approval in the first instance.
REFERENCES:	Purchasing Authority Limits form Section 6.8 Local Government Act 1995
POWER TO SUB-DELEGATE:	Yes - s.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 .
SUB-DELEGATED TO:	Those positions detailed in the Purchasing Authority Limits form.
CONDITIONS OF SUB-DELEGATION:	Expenditure authorised must be within the limit detailed in the Purchasing Authority Limits form.
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 purchase orders. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the Local Government (Administration) Regulations 1996 are met.

DATE ADOPTED: 20/10/2003

LAST REVIEWED: 15/06/2015

6. PAYMENT OF RATES BY INSTALMENT OR SPECIAL ARRANGEMENT

DELEGATED BY:	Local Government
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.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	Section 6.49 Local Government Act 1995 Authority, in cases of hardship, to enter into special payment arrangements with ratepayers for the payment of rates, domestic refuse charges and private swimming pool inspection fees, and service charges.
CONDITIONS:	N/A
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	Yes - s.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 .
SUB-DELEGATED TO:	Director Corporate Services
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.
DATE ADOPTED:	20/10/2003
LAST REVIEWED:	15/06/2015

7. PAYMENT OF OTHER DEBTS BY INSTALMENTS OR SPECIAL ARRANGEMENT

DELEGATED BY:	Local Government
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.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	Section 6.12 Local Government Act 1995 Authority, in cases of hardship, to enter into special payment arrangements with debtors for the payment of debts.
CONDITIONS:	Any special payment arrangement made under this delegation is not to exceed twelve (12) months.
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	Yes - s.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 .
SUB-DELEGATED TO:	Director Corporate Services.
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.
DATE ADOPTED:	20/10/2003
LAST REVIEWED:	15/06/2015

8. WRITE OFF MONIES

DELEGATED BY:	Local Government
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.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	Section 6.12(1)(c) Local Government Act 1995 Authority to write off money owing to the Council, up to the sum of \$5,000.00. If the total collective debt is over \$5,000.00, the decision must be referred to Council.
CONDITIONS:	N/A
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	Yes – s.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 .
SUB-DELEGATED TO:	Director Corporate Services (Up to \$2,000.00)
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.
DATE ADOPTED:	20/10/2003
LAST REVIEWED:	11/02/2016

9. POWER TO INVEST

DELEGATED BY:	Local Government
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.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	Section 6.14(1) Local Government Act 1995 Authority to invest 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 Trustees Act 1962 Part III.
CONDITIONS:	To comply with the Local Government (Financial Management) Regulations 1996 including r.19 – Management of Investments.
REFERENCES:	Policy CF3 – Finance and Investment Strategy
POWER TO SUB-DELEGATE:	Yes – s.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 .
SUB-DELEGATED TO:	Director Corporate Services; Manager Financial Services/CFO, Financial Accountant and Management Accountant.
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.
DATE ADOPTED:	20/10/2003
LAST REVIEWED:	15/06/2015

10. PAYMENTS TO CITY OF KARRATHA EMPLOYEES

DELEGATED BY:	Local Government
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.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	Authority to make payments to Council employees for telephone rental and calls, relocation expenses, professional development, education expenses and/or other expenses in accordance with employment contracts and Council policies.
CONDITIONS:	Such payments must be subject to the budget and in accordance with employment contracts and Council policies.
REFERENCES:	Regulation 12 Local Government (Financial Management) Regulations 1996 Section 5.50 Local Government Act 1995
POWER TO SUB-DELEGATE:	Yes – s.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 .
SUB-DELEGATED TO:	Director Corporate Services
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.
DATE ADOPTED:	20/10/2003
LAST REVIEWED:	15/06/2015

11. CONCESSIONS ON FEES FOR COUNCIL FACILITIES

DELEGATED BY:	Local Government
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.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	<p>Section 6.12 Local Government Act 1995</p> <p>Authority to provide up to a 100% concession on any fee or \$5,000.00 towards any fee (whichever is the lesser amount) for Council facilities and services, including, <u>but not limited to, the following:</u></p> <ul style="list-style-type: none">• <u>Karratha Airport Carpark;</u>• Karratha Leisureplex;• Seven Mile Landfill Facility;• Wickham Transfer Station;• Frank Butler Community Centre;• Roebourne Aquatic Centre;• Karratha Public Golf and Bowling Courses;• <u>Karratha Tennis Courts (Bulgarra / Millars Well);</u>• <u>Indoor cricket facilities;</u>• Roebourne Basketball Courts;• Millars Well Pavilion;• <u>Pegs Creek Pavilion;</u>• <u>Tambrey Pavilion;</u> and• Council Ovals.
CONDITIONS:	N/A
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	Yes – s.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 .
SUB-DELEGATED TO:	Director Community Services (Up to \$2,000.00); and Director Strategic Projects & Infrastructure (Up to \$2,000.00).

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.

DATE ADOPTED:

19/01/2004

LAST REVIEWED:

11/02/2016

12. CONCESSIONS ON FEES FOR COUNCIL SERVICES

DELEGATED BY:	Local Government
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.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	Section 6.12 Local Government Act 1995 Authority to provide up to a 100% concession or up to \$2,000.00 (whichever is the lesser amount) towards building permit fees and certification fees.
CONDITIONS:	This delegation does not extend to levies for the Building Commission and the Building Commission Industry Training Fund.
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	Yes – s.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 .
SUB-DELEGATED TO:	Director Development Services
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.
DATE ADOPTED:	19/01/2004
LAST REVIEWED:	15/06/2015

13. AWARDING TENDERS

DELEGATED BY:	Local Government
POWER TO DELEGATE:	<p>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.</p> <p>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).</p>
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	<p>Section 3.57 Local Government Act 1995 Regulations 11 to 24 Local Government (Functions & General) Regulations 1996 Authority to reject and accept tenders.</p>
CONDITIONS:	A tender may only be accepted where the consideration involved does not exceed \$300,000.00 (excluding GST) and the appropriate provision is made in the budget.
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	Yes – s.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 .
SUB-DELEGATED TO:	Not sub-delegated.
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.
DATE ADOPTED:	20/10/2003
LAST REVIEWED:	15/06/2015

14. INVITING TENDERS AND DETERMINING TENDER EVALUATION CRITERIA

DELEGATED BY:	Local Government
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.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	Section 3.57 Local Government Act 1995 Regulations 11 to 24 Local Government (Functions & General) Regulations 1996 <ul style="list-style-type: none">○ Authority to invite tenders in accordance with section 3.57 where:<ul style="list-style-type: none">• there is a “discrete and identifiable” budget allocation provided by Council as part of their budget adoption or review; and• the value of the tender is not to exceed \$1million (excluding GST).○ Authority to determine tender evaluation criteria, the form of contract and the Contract Superintendent in accordance with Regulation 14 where:<ul style="list-style-type: none">• the value of the tender is not to exceed \$1million (excluding GST); and• the criteria is to be in accordance with the Tender Evaluation Criteria Policy.
CONDITIONS:	N/A
REFERENCES:	Tender Evaluation Criteria Policy.
POWER TO SUB-DELEGATE:	Yes – s.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 .
SUB-DELEGATED TO:	Not sub-delegated.
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.

DATE ADOPTED: 20/05/2013

LAST REVIEWED: 15/06/2015

15. DISPOSAL OF PROPERTY

DELEGATED BY: Local Government

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 5.43(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).

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 where the individual market value of the property to be disposed of is less than \$50,000.00 (excluding GST).

2. Authority to dispose of property other than an interest in land where the entire consideration received by the local government for the disposition is used to purchase other property, and where the total consideration for the other property is not more (or worth more) than \$75,000.00 (excluding GST).

3. Authority to determine tender selection criteria if disposing of property (other than an interest in Land) under Authorities 1 and 2 above using a public tender process.

4. Authority to gift or donate property (that is not money or an interest in land) with a maximum value of \$500.00 (excluding GST).

5. Authority to consider any submissions made before the date specified in the notice if disposing property (other than an interest in Land) under Authorities 1, 2, and 4 above using a local public notice process.

Disposal of an interest in Land:

65. Authority to dispose of an interest in Land by way of commercial/community lease or licence where the total value of the disposition over the entire lease or licence term is less than \$50,000.00 (excluding GST).

76. Authority to determine tender selection criteria if disposing of Land under Authority 5 above using a public tender process.

87. Authority to dispose of an interest in Land by way of residential lease with City of Karratha staff or other persons where the rent is less than \$20,000.00 per annum (excluding GST).

9. Authority to consider any submissions made before the date specified in the notice if disposing of an interest in Land under Authority 6 above using a local public notice.

CONDITIONS:

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**.

REFERENCES:

Section 3.58 Local Government Act 1995
Regulation 30 Local Government (Functions and General) Regulations 1996

POWER TO SUB-DELEGATE:

Yes – **s.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**.

SUB-DELEGATED TO:

Director Strategic Projects & Infrastructure; and
Director Corporate Services.

CONDITION:

The Director Strategic Projects & Infrastructure is sub-delegated to exercise Authority 1 and Authority 2 above only; and

The Director Corporate Services is sub-delegated to exercise Authority 7 above only.

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**.

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.

DATE ADOPTED: 20/10/2003

LAST REVIEWED: 15/06/2015

16. AUTHORITY TO APPOINT AUTHORISED PERSONS - LOCAL LAWS

DELEGATED BY:	Local Government
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.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	Section 9.10 Local Government Act 1995 Authority to appoint persons or classes of persons to be authorised for the purposes of performing particular functions.
CONDITIONS:	<p>For the purpose of this delegation such functions shall be limited to appointing persons or classes of persons to act as “authorised persons/officers” with respect to the following local laws:</p> <ul style="list-style-type: none">• Parking & Parking Facilities Local Law;• Signs, Hoardings and Bill Posting By-Law;• Tidepole (Sam’s) Island Local Law;• Fencing Local Law;• Local Government Property Local Law;• Animals, Environment and Nuisance Local Law; and• Activities in Thoroughfares & Public Places and Trading Local Law. <p>Note, that this extends to the service of infringement notices under s.9.16 of the Local Government Act 1995 and the extension of the period for payment of a modified penalty under s.9.19 and the withdrawal of an infringement notice under s.9.20.</p>
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	Yes - s.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 .
SUB-DELEGATED TO:	Not sub-delegated
RECORD OF USE:	Appointments are to be made in writing and copies retained in the Council record keeping system.

DATE ADOPTED: 20/10/2003

LAST REVIEWED: 15/06/2015

17. FUNCTIONS OF LOCAL GOVERNMENT UNDER LOCAL LAWS

DELEGATED BY:	Local Government
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.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	<p>To carry out the functions of local government with respect to the following local laws:</p> <ul style="list-style-type: none"> • Parking & Parking Facilities Local Law; • Signs, Hoardings and Bill Posting By-Law; • Tidepole (Sam's) Island Local Law; • Fencing Local Law; • Local Government Property Local Law; • Animals, Environment and Nuisance Local Law; and • Activities in Thoroughfares & Public Places and Trading Local Law.
CONDITIONS:	N/A
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	Yes – s.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 .
SUB-DELEGATED TO:	<p>Ranger Services Coordinator, Senior Rangers, Rangers, Trainee Ranger;</p> <p>Building Coordinator, Senior Building Surveyors, Building Surveyors, Building Compliance Officer;</p> <p>Manager Regulatory Services;</p> <p>Environmental Health Officers, Coordinator Environmental Health Services;</p> <p>Airport General Manager <u>Manager Airport</u>, Airport Airside Coordinator, Airport Property Officer, Airport Terminal and Compliance Coordinator, Airport Administration Officer, Airport Reporting Officers; and</p> <p>Manager Leisure Services, Manager Recreation Facilities, Recreation Facilities Coordinator (West), Business Supervisor.</p>

CONDITIONS

The Manager Regulatory Services is appointed under all of the local laws listed above.

The Ranger Services Coordinator, Senior Rangers, Rangers and Trainee Ranger are appointed under all of the local laws listed above.

The Environmental Health Officers, Coordinator Environmental Health Services are appointed under the Animals, Environment and Nuisance Local Law, Activities in Thoroughfares & Public Places and Trading Local Law.

The Building Coordinator, Senior Building Surveyors, Building Surveyors, Building Compliance Officer are appointed under the Fencing Local Law, Local Government Property Local Law, Signs, Hoardings and Bill Posting By-Law and Activities in Thoroughfares & Public Places and Trading Local Law only.

~~Airport General Manager~~ Manager Airport, Airport Airside Coordinator, Airport Property Officer, Airport Terminal and Compliance Coordinator, ~~Airport Administration Officer~~, Airport Reporting Officers are appointed under the Local Government Property Local Law, Parking & Parking Facilities Local Law and Signs, Hoardings and Bill Posting By-Law.

Manager Recreation Facilities is appointed under the Local Government Property Local Law and Signs, Hoardings and Bill Posting By-Law.

Recreation Facilities Coordinator (West) and Business Supervisor are appointed under the Signs, Hoardings and Bill Posting By-Law only.

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 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.

DATE ADOPTED:

20/10/2003

LAST REVIEWED:

15/06/2015

18. LOCAL GOVERNMENT ACT 1995 – POWER TO ENTER LAND, PREMISES OR THING WITH NOTICE OR IN AN EMERGENCY

DELEGATED BY: Local Government

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.

DELEGATED TO: Chief Executive Officer

POWER/AUTHORITY DELEGATED: Authority to exercise the functions of local government relating to powers of entry detailed in sections 3.31, 3.34 and 3.36 **Local Government Act 1995**.

CONDITIONS: N/A

REFERENCES: N/A

POWER TO SUB-DELEGATE: Yes - **s.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**.

SUB-DELEGATED TO: Building Coordinator, Senior Building Surveyors, Building Surveyors, Building Compliance Officer;
Manager Planning Services, Senior Strategic Planners, Principal Statutory Planner, Senior Statutory Planners, Statutory Planners;
Emergency Management Coordinator;
Ranger Services Coordinator, Senior Rangers, Rangers, Trainee Ranger;
Coordinator Environmental Health Services, Environmental Health Officers;
Manager Regulatory Services; and
Operations Coordinator (Infrastructure).

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 **Local Government (Administration) Regulations 1996** are met.

DATE ADOPTED: 17/06/2013

LAST REVIEWED: 15/06/2015

19. LOCAL GOVERNMENT ACT 1995 – POWER TO REQUIRE CERTAIN THINGS TO BE DONE BY OWNER/OCCUPIER OF LAND/POWER TO DO THINGS ON LAND NOT OWNED BY LOCAL GOVERNMENT

DELEGATED BY:	Local Government
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.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	<ol style="list-style-type: none">1. Authority to issue notices pursuant to s.3.25 Local Government Act 1995 and enforce notices pursuant to s.3.26 Local Government Act 1995.2. Authority to carry out works on land not owned by the Council pursuant to s.3.27 Local Government Act 1995.
CONDITIONS:	N/A
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	Yes - s.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 .
SUB-DELEGATED TO:	Building Coordinator, Senior Building Surveyors, Building Surveyors, Building Compliance Officer; Manager Planning Services, Senior Strategic Planners, Principal Statutory Planner, Senior Statutory Planners, Statutory Planners; Emergency Management Coordinator; Ranger Services Coordinator, Senior Rangers, Rangers, Trainee Ranger; Coordinator Environmental Health Services, Environmental Health Officers; Manager Regulatory Services; and Technical Services Coordinator.
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 notices issued 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.

DATE ADOPTED: 17/06/2013

LAST REVIEWED: 15/06/2015

20. DISPOSING OF CONFISCATED OR UNCOLLECTED GOODS

DELEGATED BY:	Local Government
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.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	<p>Section 3.47(1) Local Government Act 1995</p> <p>Authority to sell or otherwise dispose of any goods that have been ordered to be confiscated under s.3.43 of the Local Government Act 1995.</p> <p>Section 3.47(2a) and (2b) Local Government Act 1995</p> <p>Authority to sell or otherwise dispose of any goods that have not been collected within the periods specified in s.3.47(2a) and 3.47(2b).</p>
CONDITIONS:	The goods must individually be under the value of \$20,000.00.
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	Yes – s.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 .
SUB-DELEGATED TO:	Ranger Services Coordinator; Director Development Services and Director Corporate Services; and Manager Waste Services.
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.
DATE ADOPTED:	20/10/2003
LAST REVIEWED:	15/06/2015

21. POWER TO REMOVE AND IMPOUND GOODS

DELEGATED BY:	Local Government
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.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	<p>1. Section 3.39 Local Government Act 1995</p> <p>Authority, to authorise an employee to remove and impound goods from a public place if the goods present a hazard to public safety or they obstruct the lawful use of any place.</p> <p>2. Section 3.40A Local Government Act 1995</p> <p>Authority, to authorise an employee to remove and impound an 'abandoned vehicle wreck'.</p> <p>3. Authority to undertake the functions and duties of local government required under sections 3.40A (with the exception of those detailed in 2 above), 3.42, 3.44, 3.46, 3.47A and 3.48 Local Government Act 1995.</p>
CONDITIONS:	N/A
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	Yes – s.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 .
SUB-DELEGATED TO:	Authority 3 above only is sub-delegated to: Manager Infrastructure Services; Ranger Services Coordinator, Senior Rangers, Rangers, Trainee Ranger; Emergency Management Coordinator; and Manager Waste Services.
RECORD OF USE:	<p>Authority 1 & 2 - Appointments are to be made in writing and copies retained in the Council record keeping system. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the Local Government (Administration) Regulations 1996 are met.</p> <p>Authority 3 – Details of decisions made are to be recorded in writing and retained in the Council record</p>

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.

DATE ADOPTED: 20/10/2003

LAST REVIEWED: 15/06/2015

22. EMERGENCY MANAGEMENT ACT 2005

DELEGATED BY:	Local Government
POWER TO DELEGATE:	Section 45 Emergency Management Act 2005 – the powers given to a local government by Part 3 Division 3 can only be exercised on behalf of the local government by a person expressly authorised by it to exercise those powers.
DELEGATED TO:	Emergency Management Coordinator; Ranger Services Coordinator, Senior Rangers, Rangers, Trainee Ranger; and Manager Regulatory Services.
POWER/AUTHORITY DELEGATED:	Authority to exercise the powers of local government under s.46 – s.49 of the Emergency Management Act 2005 .
CONDITIONS:	N/A
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	No
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 notices issued and any other evidentiary documents.
DATE ADOPTED:	17/06/2013
LAST REVIEWED:	15/06/2015

23. BUSH FIRES ACT 1954

DELEGATED BY:	Local Government
POWER TO DELEGATE:	Section 48 Bush Fires Act 1954 – a local government may, in writing, delegate to its chief executive officer the performance of any of its functions under the Bush Fires Act 1954 .
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	Authority to perform any of the functions of local government under the Bush Fires Act 1954 . Note, that this extends to the City of Karratha Bush Fire Brigades Local Law.
CONDITIONS:	N/A
REFERENCES:	City of Karratha Bush Fire Brigades Local Law.
POWER TO SUB-DELEGATE:	No – s.48 Bush Fires Act 1954 – a delegation under this section does not include the power to sub-delegate.
SUB-DELEGATED TO:	Not sub-delegated.
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 evidentiary documents.
DATE ADOPTED:	17/06/2013
LAST REVIEWED:	15/06/2015

24. BUSH FIRES ACT 1954 – INFRINGEMENTS

DELEGATED BY:	Local Government
POWER TO DELEGATE:	Section 59 (3) Bush Fires Act 1954 – local government may delegate authority to its bush fire control officer in relation to the prosecution of offences as set out in s.59.
DELEGATED TO:	Such persons who are appointed as “bush fire control officers” under the Bush Fires Act 1954 .
POWER/AUTHORITY DELEGATED:	Authority in relation to prosecution of offences under s.59(3) Bush Fires Act 1954 . Section 59A Bush Fires Act 1954 – authority to serve infringement notices.
CONDITIONS:	N/A
REFERENCES:	City of Karratha Bush Fire Brigades Local Law.
POWER TO SUB-DELEGATE:	N/A
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 notices issued, withdrawal of notices and any other evidentiary documents.
DATE ADOPTED:	17/06/2013
LAST REVIEWED:	15/06/2015

25. EVENTS ON ROADS

DELEGATED BY:	Local Government
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
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	Section 3.50 Local Government Act 1995 Regulation 4 Road Traffic (Events on Roads) Regulations 1991 Authority to consider applications for the temporary closure of roads for the purpose of conducting events.
CONDITIONS:	N/A
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	Yes – s.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 .
SUB-DELEGATED TO:	Operations Coordinator (Infrastructure), Technical Services Coordinator; and Manager Infrastructure Services.
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.
DATE ADOPTED:	20/10/2003
LAST REVIEWED:	15/06/2015

26. TEMPORARY ROAD CLOSURES

DELEGATED BY:	Local Government
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.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	Section 3.50 Local Government Act 1995 Section 3.50A Local Government Act 1995 Section 3.51 Local Government Act 1995 Authority to temporarily close thoroughfares to vehicles for periods not exceeding four (4) weeks.
CONDITIONS:	N/A
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	Yes – s.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 .
SUB-DELEGATED TO:	Operations Coordinator (Infrastructure), Technical Services Coordinator; Manager Infrastructure Services; Ranger Services Coordinator, Senior Ranger, Rangers, Trainee Ranger; Emergency Management Coordinator
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.
DATE ADOPTED:	20/10/2003
LAST REVIEWED:	15/06/2015

27. BUILDING PERMITS UNDER THE BUILDING ACT 2011

DELEGATED BY:	Local Government
POWER TO DELEGATE:	<p>Section 127(1) Building Act 2011 – a local government may delegate any of its powers or duties as a permit authority under the Building Act 2011.</p> <p>Section 127(3) Building Act 2011 – such delegation may only be to a person employed by the local government under s.5.36 of the Local Government Act 1995.</p>
DELEGATED TO:	Building Coordinator; Manager Regulatory Services; and Senior Building Surveyors and Building Surveyors.
POWER/AUTHORITY DELEGATED:	<p>Authority to carry out functions of local government in relation to:</p> <p>Section 20 Building Act 2011 – grant of building permits.</p> <p>Section 22 Building Act 2011 – further grounds for not granting an application.</p> <p>Section 27 Building Act 2011 – conditions imposed by permit authority.</p>
CONDITIONS:	N/A
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	No – s.127(5) Building Act 2011 – a person to whom a power or duty is delegated under this section cannot delegate that power or duty.
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 permits granted and any other evidentiary documents.
DATE ADOPTED:	31/07/2012
LAST REVIEWED:	15/06/2015

28. DEMOLITION PERMITS UNDER THE BUILDING ACT 2011

DELEGATED BY:	Local Government
POWER TO DELEGATE:	<p>Section 127(1) Building Act 2011 – a local government may delegate any of its powers or duties as a permit authority under the Building Act 2011.</p> <p>Section 127(3) Building Act 2011 – such delegation may only be to a person employed by the local government under the Local Government Act 1995 section 5.36.</p>
DELEGATED TO:	Building Coordinator; Manager Regulatory Services; and Senior Building Surveyors and Building Surveyors.
POWER/AUTHORITY DELEGATED:	<p>Authority to carry out functions of local government in relation to:</p> <p>Section 21 Building Act 2011 – grant of demolition permits.</p> <p>Section 22 Building Act 2011 – further grounds for not granting an application.</p> <p>Section 27 Building Act 2011 – conditions imposed by permit authority.</p>
CONDITIONS:	N/A
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	No – s.127(5) Building Act 2011 – a person to whom a power or duty is delegated under this section cannot delegate that power or duty.
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 permits granted and any other evidentiary documents.
DATE ADOPTED:	31/07/2012
LAST REVIEWED:	15/06/2015

29. OCCUPANCY PERMITS AND BUILDING APPROVAL CERTIFICATES UNDER THE BUILDING ACT 2011

DELEGATED BY:	Local Government
POWER TO DELEGATE:	<p>Section 127(1) Building Act 2011 – a local government may delegate any of its powers or duties as a permit authority under the Building Act 2011.</p> <p>Section 127(3) Building Act 2011 – such delegation may only be to a person employed by the local government under the Local Government Act 1995 section 5.36.</p>
DELEGATED TO:	Building Coordinator; Manager Regulatory Services; and Senior Building Surveyors and Building Surveyors.
POWER/AUTHORITY DELEGATED:	<p>Authority to carry out functions of local government in relation to:</p> <p>Section 58 Building Act 2011 – grant of occupancy permit and building approval certificate.</p> <p>Section 62 Building Act 2011 – conditions imposed by permit authority.</p> <p>Section 65 Building Act 2011 – extension of period of duration.</p>
CONDITIONS:	N/A
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	No – s.127(5) Building Act 2011 – a person to whom a power or duty is delegated under this section cannot delegate that power or duty.
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 permits and approvals granted and any other evidentiary documents.
DATE ADOPTED:	31/07/2012
LAST REVIEWED:	15/06/2015

30. HEALTH ACT 1911

DELEGATED BY:	Local Government
POWER TO DELEGATE:	Section 26 Health Act 1911 – a local government may appoint and authorise any person to be its deputy.
DELEGATED TO:	Chief Executive Officer; Manager Regulatory Services; Coordinator Environmental Health Services and Environmental Health Officers.
POWER/AUTHORITY DELEGATED:	<p>In respect to Parts IV, V, VI, VII, VIII and IX of the Health Act 1911, all associated regulations and where applicable the Health Local Laws 2012, the local government will deputise the Chief Executive Officer and the Manager Regulatory Services to act on its behalf.</p> <p>In respect to section 107 of the Health Act 1911, and regulations 4 and 10 of the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974 the local government will deputise the Coordinator Environmental Health Services and Environmental Health Officers 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>
CONDITIONS:	The delegation to initiate legal action for breaches of the Health Act 1911 and associated health legislation on behalf of the City of Karratha is limited to the Chief Executive Officer only.
REFERENCES:	Health Local Laws 2012
POWER TO SUB-DELEGATE:	No
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.
DATE ADOPTED:	20/10/2003
LAST REVIEWED:	15/06/2015

31. PROSECUTIONS UNDER THE FOOD ACT 2008

DELEGATED BY:	Local Government
POWER TO DELEGATE:	Section 118(2)(b) Food Act 2008 - a function conferred or imposed on a local government (as enforcement agency) may be delegated.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	Section 125 Food Act 2008 Authority to institute proceedings for a breach under the Food Act 2008 .
CONDITIONS:	Subject to s.118(3) and s.118(4) Food Act 2008 .
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	N/A
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.
DATE ADOPTED:	16/11/2009
LAST REVIEWED:	15/06/2015

32. PROHIBITION ORDERS UNDER THE FOOD ACT 2008

DELEGATED BY:	Local Government
POWER TO DELEGATE:	Section 118(2)(b) Food Act 2008 - a function conferred or imposed on a local government (as enforcement agency) may be delegated.
DELEGATED TO:	Chief Executive Officer; and Director Development Services.
POWER/AUTHORITY DELEGATED:	Section 65(1) Food Act 2008 Authority to serve a prohibition order on the proprietor of a food business in accordance with s.65(1). Section 66 Food Act 2008 Authority to give a certificate of clearance in accordance with s.66. Section 67(4) Food Act 2008 Authority to provide written notification in accordance with s.67(4).
CONDITIONS:	Subject to s.118(3) and s.118(4) Food Act 2008 .
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	N/A
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 orders, certificates and any other evidentiary documents.
DATE ADOPTED:	16/11/2009
LAST REVIEWED:	15/06/2015

33. REGISTRATION OF A FOOD BUSINESS UNDER THE FOOD ACT 2008

DELEGATED BY:	Local Government
POWER TO DELEGATE:	Section 118(2)(b) Food Act 2008 - a function conferred or imposed on a local government (as enforcement agency) may be delegated.
DELEGATED TO:	Chief Executive Officer; Manager Regulatory Services; and Coordinator Environmental Health Services.
POWER/AUTHORITY DELEGATED:	Section 110 Food Act 2008 Authority to grant/refuse applications for the registration of a food business in accordance with s.110. Section 112 Food Act 2008 Authority to vary the conditions of, or cancel, the registration of a food business in accordance with s.112.
CONDITIONS:	Subject to s.118(3) and s.118(4) Food Act 2008 .
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	N/A
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 approvals and any other evidentiary documents.
DATE ADOPTED:	17/06/2013
LAST REVIEWED:	15/06/2015

34. TOWN PLANNING APPROVALS

DELEGATED BY:

Local Government

POWER TO DELEGATE:

~~Clause 9.2.1 Town Planning Scheme No.8 – a Council may delegate the exercise of any of its powers or the discharge of any of its duties under the Scheme as specified in clause 9.2.1.~~

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.

Section 10(4) of the Planning and Development (Local Planning Schemes) Regulations 2015 – the provisions in Schedule 2 are applicable to all local planning schemes, whether or not they are incorporated in to the local planning scheme text.

DELEGATED TO:

Chief Executive Officer

POWER/AUTHORITY DELEGATED: Authority to:

- Determine all applications for planning approval under the Town Planning Scheme No. 8 ("Scheme") where the proposed use is a P, ~~IP, AA or I, D, A or X-SA~~ use listed in the zoning table.
- Determine all applications for Performance Criteria based applications for variations under the provisions of the Residential Design Codes.
- Pursuant to clause 4.7 of the Scheme refuse an application for planning approval where an applicant has failed to provide further information within 60 days, 90 days or an extended timeframe considered reasonable, whichever is appropriate.
- Request further information in relation to applications for planning approval.
- Determine the requirement for the advertising of an application for planning approval in accordance with the provisions of the Scheme.
- Determine the extent and nature of information to be made available to notified parties and in the case of full public notification, the public, in relation to a planning application.
- Determine applications, including applications for advertisements, where the recommendation is consistent with the Scheme and Council adopted policy, and where no third party objections have been received.

- Determine planning applications where objections received cannot be substantiated on planning grounds.
- Determine applications for a change to condition/s and amendments to plans of planning approvals.

Authority to:

- ~~Determine all applications for planning approval under the Town Planning Scheme No. 8~~
- ~~("Scheme") where the proposed use is a P, IP, AA or SA use listed in the zoning table.~~
- ~~Request further information in relation to applications for planning approval.~~
- ~~Determine the requirement for the advertising of an application for planning approval in accordance with the provisions of the Scheme.~~
- ~~Determine the extent and nature of information to be made available to notified parties and in the case of full public notification, the public, in relation to a planning application.~~
- ~~Determine applications where the recommendation is consistent with the Scheme and Council adopted policy, and where no third party objections have been received.~~
- ~~Determine planning applications where objections received cannot be substantiated on planning grounds.~~

CONDITIONS:

- The approval (including amendment) of planning applications up to \$7,000,000.00 will be subject to no objections of a substantive nature, as determined by the Chief Executive Officer, being received. If an objection determined to be substantive is received the application will be referred to Council for determination.
- 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.
- If the proposed amendment will alter the intent of the adopted or endorsed Development Plan or will impede the ability to meet the objectives of the adopted or endorsed Development Plan it shall be referred to Council for determination.
- Where the Chief Executive Officer in consultation with the City Mayor has requested the matter be referred to Council for consideration, the application shall be determined by Council.

REFERENCES:

N/A

POWER TO SUB-DELEGATE:

Yes - ~~Clause 9.2.2 Town Planning Scheme No.8 – the CEO may delegate to any employee of the~~

~~Council the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under clause 9.2.1.~~

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.

SUB-DELEGATED TO:

Director Development Services;
Manager Planning Services; and
Principal Statutory Planner.

CONDITIONS OF SUB-DELEGATION:

The following condition shall apply to the Principal Statutory Planner in place of the first condition above:

The approval of any planning application (including amendment) will be subject to the cost of development of land being no greater than \$3,000,000.00 and no objections of a substantive nature, as determined by the Chief Executive Officer, being received. If an objection determined to be substantive is received the application will be referred to Council for determination.

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.

DATE ADOPTED:

20/10/2003

LAST REVIEWED:

15/06/2015

35. TOWN PLANNING – AUTHORITY TO DETERMINE APPLICATIONS FOR EXTENSION OF THE PERIOD FOR APPROVAL OF DEVELOPMENTS

DELEGATED BY: Local Government

POWER 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.

Section 10(4) of the Planning and Development (Local Planning Schemes) Regulations 2015 – the provisions in Schedule 2 are applicable to all local planning schemes, whether or not they are incorporated in to the local planning scheme text.

~~Clause 9.2.1 Town Planning Scheme No.8 – a Council may delegate the exercise of any of its powers or the discharge of any of its duties under the Scheme as specified in clause 9.2.1.~~

DELEGATED TO: Chief Executive Officer

POWER/AUTHORITY DELEGATED: Authority to determine applications for the extension of the approval period.

CONDITIONS: N/A

REFERENCES: N/A

POWER TO SUB-DELEGATE: Yes - 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.

~~Clause 9.2.2 Town Planning Scheme No.8 – the CEO may delegate to any employee of the Council the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under clause 9.2.1.~~

SUB-DELEGATED TO: Director Development Services;
Manager Planning Services; and
Principal Statutory Planner.

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.

DATE ADOPTED:

20/10/2003

LAST REVIEWED:

15/06/2015

36. TOWN PLANNING – SUBDIVISIONS

DELEGATED BY:	Local Government
POWER TO DELEGATE:	<p><u>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.</u></p> <p><u>Section 10(4) of the Planning and Development (Local Planning Schemes) Regulations 2015 – the provisions in Schedule 2 are applicable to all local planning schemes, whether or not they are incorporated in to the local planning scheme text.</u></p> <p>Clause 9.2.1 Town Planning Scheme No.8 – a Council may delegate the exercise of any of its powers or the discharge of any of its duties under the Scheme as specified in clause 9.2.1.</p>
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	<ol style="list-style-type: none">1. Subdivision Referrals (Green Title and Survey Strata) Authority to make recommendations on any subdivision proposal referred to Council by the Western Australian Planning Commission.2. Subdivision Clearances Authority to certify the clearance of Local Government conditions required by the Western Australian Planning Commission for subdivision approval.
CONDITIONS:	<ol style="list-style-type: none">1. Subdivision Referrals (Green Title and Survey Strata) Recommendations are to be consistent with any policy and/or development plan adopted by Council for the land proposed to be subdivided.2. Subdivision Clearances N/A
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	Yes - <u>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</u>

Planning and Development (Local Planning Schemes) Regulations 2015 as applicable.

~~Clause 9.2.2 Town Planning Scheme No.8 — the CEO may delegate to any employee of the Council the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under clause 9.2.1.~~

SUB-DELEGATED TO:

Director Development Services;
Manager Planning Services; and
Principal Statutory Planner.

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.

DATE ADOPTED:

20/10/2003

LAST REVIEWED:

15/06/2015

37. TOWN PLANNING – MAKING SUBMISSIONS ON BEHALF OF COUNCIL

DELEGATED BY:

Local Government

POWER 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.

Section 10(4) of the Planning and Development (Local Planning Schemes) Regulations 2015 – the provisions in Schedule 2 are applicable to all local planning schemes, whether or not they are incorporated in to the local planning scheme text.

~~Clause 9.2.1 Town Planning Scheme No.8 – a Council may delegate the exercise of any of its powers or the discharge of any of its duties under the Scheme as specified in clause 9.2.1.~~

DELEGATED TO:

Chief Executive Officer

POWER/AUTHORITY DELEGATED:

Authority to make written and verbal submissions, including objections and recommendation of conditions in relation to planning related initiatives and applications referred to the Council by the State, State Departments and Agencies including:

- Applications for subdivision referred to the Council by the Western Australian Planning Commission;
- Applications for planning approval referred to the Council by the Department of Housing;
- Applications for mining tenement referred to the Council by the Department of Mines and Petroleum;
- Applications for native vegetation removal or other matters referred to the Council by the Environment Protection Authority or Department of Environment and Conservation Parks and Wildlife or Department of Environmental Regulation;
- Appearing in the Mining Warden's Court in support of submissions including objections.

CONDITIONS:

Council submissions in relation to a mining and infrastructure proposal that is the subject of an existing or proposed State Agreement shall be endorsed by Council.

Council submissions supporting mining tenement applications that fall within land reserved under the **Town Planning Scheme No.8** or vested with the

Council under the **Land Administration Act 1997** shall be determined by Council.

Council submissions supporting mining tenement applications that fall within a gazetted townsite shall be endorsed by Council.

REFERENCES:

N/A

POWER TO SUB-DELEGATE:

Yes - 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. ~~Clause 9.2.2 Town Planning Scheme No.8 - the CEO may delegate to any employee of the Council the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under clause 9.2.1.~~

SUB-DELEGATED TO:

Director Development Services;
Manager Planning Services;
Principal Statutory Planner;
Senior Strategic Planner.

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.

DATE ADOPTED:

20/8/2012

LAST REVIEWED:

15/06/2015

38. TOWN PLANNING – DEVELOPMENT AND PERFORMANCE BONDS

DELEGATED BY: Local Government

POWER 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.

Section 10(4) of the Planning and Development (Local Planning Schemes) Regulations 2015 – the provisions in Schedule 2 are applicable to all local planning schemes, whether or not they are incorporated in to the local planning scheme text.

~~Clause 9.2.1 Town Planning Scheme No.8 – a Council may delegate the exercise of any of its powers or the discharge of any of its duties under the Scheme as specified in clause 9.2.1.~~

DELEGATED TO: Chief Executive Officer

POWER/AUTHORITY DELEGATED: Authority to:

- Calculate and require development and performance bonds by way of a condition of planning approval or as a mechanism for clearing of conditions of approval; and
- Release development and performance bonds when associated conditions of approval have been met.

CONDITIONS: N/A

REFERENCES: N/A

POWER TO SUB-DELEGATE: Yes - 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.~~Clause 9.2.2 Town Planning Scheme No.8 – the CEO may delegate to any employee of the Council the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under clause 9.2.1.~~

SUB-DELEGATED TO: Director Development Services;

Manager Planning Services; and
Principal Statutory Planner.

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.

DATE ADOPTED:

20/8/2012

LAST REVIEWED:

15/06/2015

39. TOWN PLANNING – RESPONDING TO APPEALS LODGED WITH THE STATE ADMINISTRATIVE TRIBUNAL

DELEGATED BY: Local Government

POWER 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.

Section 10(4) of the Planning and Development (Local Planning Schemes) Regulations 2015 – the provisions in Schedule 2 are applicable to all local planning schemes, whether or not they are incorporated in to the local planning scheme text.

~~Clause 9.2.1 Town Planning Scheme No.8 – a Council may delegate the exercise of any of its powers or the discharge of any of its duties under the Scheme as specified in clause 9.2.1.~~

DELEGATED TO: Chief Executive Officer

POWER/AUTHORITY DELEGATED: Authority to:

- enter into mediation facilitated by the State Administrative Tribunal where a town planning decision has been appealed; and
- agree to the outcome of a mediated decision on an appeal to a planning decision where the decision falls within the usual powers of delegation.

CONDITIONS: Where a decision on a planning application which is the subject of appeal has been determined by Council, any written or verbal submission on the appeal shall be endorsed by Council if it changes the intent of Council decision.

REFERENCES: *Planning and Development Act 2005*

POWER TO SUB-DELEGATE: Yes - 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.~~Clause 9.2.2 Town Planning Scheme No.8 – the CEO may delegate to any employee of the Council the exercise~~

~~of any of the CEO's powers or the discharge of any of the CEO's duties under clause 9.2.1.~~

SUB-DELEGATED TO:

Director Development Services;
Manager Planning Services, Principal Statutory Planner, Senior Statutory Planners, Senior Strategic Planners.

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.

DATE ADOPTED:

20/8/2012

LAST REVIEWED:

15/06/2015

40. TOWN PLANNING – WRITTEN DIRECTIONS IN RELATION TO UNAUTHORISED DEVELOPMENT

DELEGATED BY: Local Government

POWER 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*.

Section 10(4) of the *Planning and Development (Local Planning Schemes) Regulations 2015* – the provisions in Schedule 2 are applicable to all local planning schemes, whether or not they are incorporated in to the local planning scheme text.

~~**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.~~

DELEGATED TO: Chief Executive Officer.

POWER/AUTHORITY DELEGATED: Section 214 (2), (3) and (5) ***Planning and Development Act 2005***

Authority to issue written directions under the above sections.

CONDITIONS: The matter shall be determined by Council where the Chief Executive Officer in consultation with the ~~Council President~~ Mayor, has requested the matter be referred to the Council for consideration.

REFERENCES: N/A

POWER TO SUB-DELEGATE: ~~Yes~~ ~~No~~ - Schedule 2 Part 10 Division 2 Section 83 – of the *Planning and Development (Local Planning Schemes) Regulations 2015* Clause 9.2.1 *Town Planning Scheme No.8* – The authority to deal with a direction under S.214 of the Act may only be delegated to the CEO.

SUB-DELEGATED TO: Director Development Services

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.

DATE ADOPTED: 20/8/2012

LAST REVIEWED: 15/06/2015

41. TOWN PLANNING – ~~DEVELOPMENT~~ STRUCTURE PLANS

DELEGATED BY: Local Government

POWER 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.

Section 10(4) of the Planning and Development (Local Planning Schemes) Regulations 2015 – the provisions in Schedule 2 are applicable to all local planning schemes, whether or not they are incorporated in to the local planning scheme text.

~~Clause 9.2.1 Town Planning Scheme No.8 – a Council may delegate the exercise of any of its powers or the discharge of any of its duties under the Scheme as specified in clause 9.2.1.~~

DELEGATED TO: Chief Executive Officer

POWER/AUTHORITY DELEGATED: Delegation of power to:

- Advertise ~~development~~ structure plans for public inspection;
- Request further information in relation to the assessment of ~~development~~ structure plans;
- Consider submissions in relation to ~~development~~ structure plans; and
- Refer Council endorsed ~~development~~ structure plans to the Western Australian Planning Commission for approval.
- Determine minor proposed amendments to ~~development~~ structure plans.

CONDITIONS: ~~Development~~ Structure plans must be referred to Council for consideration and endorsement.

REFERENCES: N/A

POWER TO SUB-DELEGATE: Yes - 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. ~~Clause 9.2.2 Town Planning Scheme No.8 – the CEO may~~

~~delegate to any employee of the Council the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under clause 9.2.1.~~

SUB-DELEGATED TO:

Director Development Services;
Manager Planning Services; and
Principal Statutory Planner.

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.

DATE ADOPTED:

20/8/2012

LAST REVIEWED:

15/06/2015

42. TOWN PLANNING – ~~DETAILED AREA~~LOCAL DEVELOPMENT PLANS

DELEGATED BY: Local Government

POWER 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.

Section 10(4) of the Planning and Development (Local Planning Schemes) Regulations 2015 – the provisions in Schedule 2 are applicable to all local planning schemes, whether or not they are incorporated in to the local planning scheme text.

~~Clause 9.2.1 Town Planning Scheme No.8 – a Council may delegate the exercise of any of its powers or the discharge of any of its duties under the Scheme as specified in clause 9.2.1.~~

DELEGATED TO: Chief Executive Officer

POWER/AUTHORITY DELEGATED: Delegation of power to:

- Determine whether and to what extent detailed ~~area~~local development plans require advertising;
- Request further information in relation to the assessment of ~~detailed area~~local development plans;
- Consider submissions in relation to ~~detailed area~~local development plans; and
- Determine applications for adoption and endorsement of ~~detailed area~~local development plans and impose conditions.

CONDITIONS: Where the CEO has requested that a matter be referred to Council for consideration or determination the plan shall be considered by the Council.

REFERENCES: N/A

POWER TO SUB-DELEGATE: Yes - 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~~Clause 9.2.2 Town Planning Scheme No.8 – the CEO may~~

~~delegate to any employee of the Council the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under clause 9.2.1.~~

SUB-DELEGATED TO:

Director Development Services;
Manager Planning Services; and
Principal Statutory Planner.

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.

DATE ADOPTED:

20/8/2012

LAST REVIEWED:

15/06/2015

43. ~~– 44. CITY OF KARRATHA TOWN PLANNING SCHEME NO.8 – AUTHORITY
TO APPOINT OFFICERS – POWERS OF ENTRY UNALLOCATED~~

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DELEGATED BY:

~~Local Government~~

POWER TO DELEGATE:

~~**Clause 9.2.1 Town Planning Scheme No.8** – a Council may delegate the exercise of any of its powers or the discharge of any of its duties under the Scheme as specified in clause 9.2.1~~

44.45. INVITING EXPRESSIONS OF INTEREST AND DETERMINING EVALUATION CRITERIA

DELEGATED BY:	Local Government
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.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	Regulations 21 to 24 Local Government (Functions & General) Regulations 1996 <ul style="list-style-type: none">• Authority to invite Expressions of Interest in accordance with regulation 21, where the estimated value of the proposed purchase does not exceed \$1million (excluding GST); and• Authority to determine appropriate expression of interest evaluation criteria.
CONDITIONS:	N/A
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	Yes – s.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 .
SUB-DELEGATED TO:	Not sub-delegated
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 expression of interest 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.
DATE ADOPTED:	18/12/2013
LAST REVIEWED:	15/06/2015

45.46. APPOINTMENT OF CASUAL EMPLOYEES

DELEGATED BY:	Chief Executive Officer
POWER TO DELEGATE:	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 as specified in s.5.44.
DELEGATED TO:	Director Community Services, Director Development Services, Director Strategic Projects & Infrastructure and Director Corporate Services.
POWER/AUTHORITY DELEGATED:	Section 5.36 (3) Local Government Act 1995 Authority to appoint Casual Employees and authorise their conditions of contract.
CONDITIONS:	<ul style="list-style-type: none">• The appointment must be in writing and is to be for a maximum period of twelve (12) months;• The position classification must be equivalent to Level 5 and below; and• All appointments must be within budget allocation.
REFERENCES:	City of Karratha Recruitment, Selection & Induction Guidelines; and City of Karratha Enterprise Agreement.
POWER TO SUB-DELEGATE:	No
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.
DATE ADOPTED:	17/03/2014
LAST REVIEWED:	15/06/2015

46-47. ACNOWLEDGING RECEIPT OF FINANCIAL RETURNS

DELEGATED BY:	Chief Executive Officer
POWER TO DELEGATE:	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 as specified in s.5.44.
DELEGATED TO:	Director Corporate Services; and Manager Governance & Organisational Strategy.
POWER/AUTHORITY DELEGATED:	Section 5.77 Local Government Act 1995 Authority to provide written acknowledgement to Employees of having received their Primary or Annual Return.
CONDITIONS:	<ul style="list-style-type: none">• In the case of the Chief Executive Officer's Primary or Annual Return the Mayor is to provide written acknowledgement of having received the financial return; and• In the case of the Mayor and Councillor's Primary or Annual Returns the Chief Executive Officer is to provide written acknowledgement of having received the financial return.
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	No
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.
DATE ADOPTED:	10/07/2014
LAST REVIEWED:	15/06/2015

47.48. TENDERS & EXPRESSIONS OF INTEREST – NOTICE OF OUTCOME

DELEGATED BY:	Chief Executive Officer
POWER TO DELEGATE:	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 as specified in s.5.44.
DELEGATED TO:	Director Community Services, Director Development Services, Director Strategic Projects & Infrastructure and Director Corporate Services.
POWER/AUTHORITY DELEGATED:	<p>Section 3.57 Local Government Act 1995</p> <p>Regulation 19 Local Government (Functions & General) Regulations 1996</p> <p>Authority to provide written notification to successful and/or unsuccessful tenderers regarding the outcome of a tender. The written notification is to:</p> <ul style="list-style-type: none">• contain particulars of the successful tenderer; or• advise that no tender was accepted. <p>Regulation 24 Local Government (Functions & General) Regulations 1996</p> <p>Authority to provide written notification to respondents regarding the outcome of an Expression of Interest. The written notification is to:</p> <ul style="list-style-type: none">• contain particulars of the respondents who were listed as acceptable tenderers; or• advise that Council has decided not to invite tenders; or• provide details of any other outcome.
CONDITIONS:	The written notification is solely for the purpose of communicating a decision that has been made via Council Resolution or CEO Delegation.
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	No
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.

DATE ADOPTED: 11/11/2014

LAST REVIEWED: 15/06/2015

48-49. DOG ACT 1976 – LICENSING OF APPROVED KENNEL ESTABLISHMENTS **DOG CONTROL**

DELEGATED BY:	Local Government
POWER TO DELEGATE:	<p><i>Section 10AA Dog Act 1976 –</i></p> <p>a local government may, by absolute majority as defined in the Local Government Act 1995 section 1.4, delegate to its chief executive officer any power or duty of the local government under another provision of this Act.</p>
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	<p>Authority to grant a licence to keep an approved kennel establishment under section 27 <i>Dog Act 1976</i> and Part 4 of the <i>Dogs Local Law</i>.</p> <p>Note that this does not extend to the variation or cancellation of a licence. Authority to exercise any power or duty of the local government under the <i>Dog Act 1976</i> and its subsidiary legislation with the exception of Section 10AA of the <i>Dog Act 1976</i>.</p>
CONDITIONS:	N/A
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	Yes under- <u>s</u> Section 10AA <u>of the</u> <i>Dog Act 1976</i> — the delegation may expressly authorise the Delegate to further delegate the power or duty.
SUB-DELEGATED TO:	<p><u>1. Licensing of Approved Kennel Establishments</u></p> <p><u>The following officers are sub-delegated the authority to grant a licence to keep an approved kennel establishment under section 27 <i>Dog Act 1976</i> and Part 4 of the <i>Dogs Local Law</i>:</u></p> <p><u>Manager Regulatory Services;</u></p> <p><u>Ranger Services Coordinator.</u></p> <p><u>Note that this does not extend to the variation or cancellation of a licence.</u></p> <p><u>2. Limitation as to numbers</u></p> <p><u>The following officer is sub-delegated the authority to determine applications for the keeping of three or more dogs on a premises in accordance with Section 26 of the <i>Dog Act 1976</i> and Part 3 of the <i>Dogs Local Law</i>:</u></p> <p><u>Director Development Services.</u></p> <p><u>3. Registration Officer</u></p> <p><u>The following officers are sub-delegated the authority to exercise the powers and duties of Registration</u></p>

Officer that are found in Sections 14 and 16 of the *Dog Act 1976*, including the maintenance of the register of dogs and registration of dogs;

Executive Assistant to the CEO and Mayor;

DAO – Corporate Services, DAO – Community Services, DAO – Strategic Projects and Infrastructure, DAO - Development Services;

Planning Administrator;

Human Resources Support Officer;

Customer Service Supervisor, Customer Service Officers;

Corporate Services Administration Assistant;

Library Officers.

4. Authorised Person

The following officers are sub-delegated the authority to act as an Authorised Person for the purposes detailed in the *Dog Act 1976* and *Dog Regulations 2013* with the exception of the powers to issue or withdraw infringement notices. This extends to the functions of an 'authorized person' under the *Dogs Local Law* with the exception of the functions under sections 7.3 and 7.6 relating to infringement notices:

Regulatory Services Administration Officer;

Ranger Services Coordinator, Senior Rangers, Rangers, Trainee Ranger;

Emergency Management Coordinator.

5. Service of infringement notices

The following officers are sub-delegated the authority to serve infringement notices in accordance with r.35(1) of the *Dog Regulations 2013*:

Ranger Services Coordinator, Senior Rangers, Rangers, Trainee Ranger;

Emergency Management Coordinator.

6. Withdraw infringement notices

The following officers are sub-delegated the authority to withdraw infringement notices in accordance with r.35(5) of the *Dog Regulations 2013*:

Director Development Services.

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.

DATE ADOPTED:

LAST REVIEWED:

50. CAT ACT 2011 – CAT CONTROL

<u>DELEGATED BY:</u>	<u>Local Government</u>
<u>POWER TO DELEGATE:</u>	<u>Section 44 Cat Act 2011 – a local government may, by absolute majority as defined in <i>the Local Government Act 1995</i> section 1.4, delegate to its chief executive officer any power or duty of the local government under another provision of this Act.</u>
<u>DELEGATED TO:</u>	<u>Chief Executive Officer</u>
<u>POWER/AUTHORITY DELEGATED:</u>	<u>Authority to exercise any power or duty of the local government under the <i>Cat Act 2011</i> its subsidiary legislation with the exception of Section 44 of the <i>Cat Act 2011</i>.</u>
<u>CONDITIONS:</u>	<u>N/A</u>
<u>REFERENCES:</u>	<u>N/A</u>
<u>POWER TO SUB-DELEGATE:</u>	<u>Yes under section 45 of the <i>Cat Act 2011</i> the delegation may expressly authorise the Delegate to further delegate the power or duty.</u>
<u>SUB-DELEGATED TO:</u>	<p><u>7. Authorised person</u></p> <p>a) <u>The following officers are ONLY authorised persons for the purposes of cat registration under Section 9 of the <i>Cat Act 2011</i>:</u></p> <p><u>Executive Assistant to the CEO and Mayor;</u></p> <p><u>DAO – Corporate Services, DAO – Community Services, DAO – Strategic Projects and Infrastructure, DAO - Development Services;</u></p> <p><u>Human Resources Support Officer;</u></p> <p><u>Planning Administration Officer;</u></p> <p><u>Customer Service Supervisor, Customer Service Officers;</u></p> <p><u>Corporate Services Administration Assistant;</u></p> <p><u>Library Officers.</u></p> <p>b) <u>The following officers are authorised persons for all purposes under the <i>Cat Act 2011</i> and <i>Cat Regulations 2012</i>, including the registration of cats under Section 9 of the <i>Cat Act 2011</i>, but excluding the giving or withdrawing of infringement notices under Sections 62, 64 and 65 of the <i>Cat Act 2011</i>:</u></p> <p><u>Ranger Services Coordinator, Senior Rangers, Rangers, Trainee Ranger;</u></p> <p><u>Emergency Management Coordinator;</u></p> <p><u>Manager Regulatory Services;</u></p> <p><u>Regulatory Services Administration Officer.</u></p>

8. Service of infringement notices

The following officers are sub-delegated the authority to act as an authorised person for the purpose of service of infringement notices in accordance with s.62(1) of the *Cat Act 2011*:

Ranger Services Coordinator, Senior Rangers,

Rangers, Trainee Ranger;

Emergency Management Coordinator; and

Manager Regulatory Services.

9. Withdraw infringement notices

The following officers are sub-delegated the authority to act as an authorised person for the purpose of withdrawal of infringement notices in accordance with s.65(1) of the *Cat Act 2011*:

Director Development Services.

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.

DATE ADOPTED:

LAST REVIEWED:

APPENDIX - OTHER DELEGATIONS BY COUNCIL RESOLUTION

Date	Resolution	Item	Delegation
20 December 12/2010	151482	13.2	Grant delegated authority to the Chief Executive Officer to commence legal action where it is deemed that a breach of the Planning and Development Act has occurred and all other enforcement methods have failed. This includes failure to comply with Notice served under Section 214(2) of the Planning and Development Act 2005.
21 May 2012	152061	12.11	[Supplementary Accommodation – Lot 760 Baynton Drive, Baynton] That Council by ABSOLUTE Majority of s.5.42(1) of the <i>Local Government Act 1995</i> GRANT delegated authority to the Chief Executive Officer to determine applications for planning approval for 'Supplementary Accommodation' in the 'Residential' and 'Urban Development' zones where they are consistent with Draft Local Planning DP16 – Supplementary Accommodation.
19 November 2012	152316	10.6	1. That Council by SIMPLE Majority pursuant to Section 2.7 of the Local Government Act 1995 RESOLVES to ADOPT revised Council Policy TE5 – Subdivisional Guidelines and Outstanding Works Bonding Policy. 2. That Council by ABSOLUTE Majority pursuant to Section 5.42 of the Local Government Act 1995: a. RESOLVES to DELEGATE to the Chief Executive Officer, on application from a developer, to determine the retrospective application of the two year defects liability period to developments currently subject to a defects liability period of 36 months; and b. DIRECTS that any decision by the Chief Executive Officer to retrospectively apply the two year defects liability period to developments currently subject to a defects liability period of 36 months does not incur costs to Council.
20 October 2014	152975	12.2	That Council by ABSOLUTE Majority pursuant to Section 5.42 of the Local Government Act, 1995 RESOLVES to DELEGATE authority to the Chief Executive Officer to award a contract for the reconstruction and upgrade of Coolawanyah Road providing that the tender and total projects costs are within approved budget.
17 November 2014	152992	11.3	1. That Council by SIMPLE Majority in pursuance of Section 3.18 of the Local Government Act 1995 RESOLVES to: a) DETERMINE submissions in accordance with the attached Schedule of Submissions; b) MODIFY the publicly advertised draft Roebourne Structure Plan in accordance with modifications recommended in the attached Schedule of Submissions; c) ADOPT the Roebourne Structure Plan modified in accordance with Point 2 above for final approval; d) FORWARD two (2) copies the Roebourne Structure Plan adopted for final approval as per Point 3 above to the Western Australian Planning Commission for endorsement; and e) ADVISE the Department of Planning that in forwarding the Roebourne Structure Plan to the Western Australian Planning Commission for endorsement, it is noted that WAPC endorsement is not required and while WAPC endorsement would be beneficial, the Council may not wish to pursue WAPC endorsement if this requires reformatting the document or changes that impose substantial additional costs on the City. 2. That Council by ABSOLUTE Majority in pursuance of Section 5.42 of the Local Government Act 1995 RESOLVES to DELEGATE to the Chief Executive Officer authority to make any additional minor revisions to the Roebourne Structure Plan required to finalise the document, including making clearer the links between planning issues, plans and actions recommended and priority actions that should follow adoption of the Structure Plan.

Date	Resolution	Item	Delegation
27 January 2015	153052	16.2	<p>That Council by ABSOLUTE Majority pursuant to Section 3.18 of the Local Government Act 1995 RESOLVES to:</p> <p>1. AUTHORISE the calling of tenders for the upgrade to the Wickham Recreation Precinct Rugby Oval lighting upgrade in accordance with the following scope:</p> <ul style="list-style-type: none"> • Removal of existing light poles, floodlights, control gear and cabling. • Design and installation of new floodlighting including poles and cross arms. • New sports lighting control equipment switchboards. • Final circuit cabling. • Stainless steel catenary cables for support within poles. • Testing and Commissioning. • Drawings and maintenance handbooks. • Defect maintenance period. <p>2. ENDORSE the following Wickham Recreation Precinct Rugby Oval upgrade tender Selection Criteria: (REFER TABLE IN MINUTES).</p> <p>3. DELEGATE AUTHORITY to the Chief Executive Officer to award the Tender for the Wickham Recreation Precinct Rugby Oval Lighting upgrade.</p>
16 February 2015	153064	10.3	<p>That Council by ABSOLUTE Majority pursuant to Section 5.43 of the Local Government Act 1995 RESOLVES to DELEGATE AUTHORITY to the Chief Executive Officer to award the Tender for the Wickham Recreation Precinct Rugby Oval Lighting upgrade up to an amount of \$500,000.</p>
16 February 2015	153069	11.2	<p>1. That Council by SIMPLE Majority pursuant to Clause 7.2.8.1 of the Town Planning Scheme No.8 RESOLVES to ADOPT the proposed Development Plan with modifications as it shown in Attachments 3 and 4 of this report and that relates to land contained within Development Area DA13 as marked in the City's Town Planning Scheme No.8, subject to comments being received by the land owner of Lot 526 Madigan Road.</p> <p>2. That Council by ABSOLUTE Majority pursuant to Sections 5.42 of the Local Government Act 1995 RESOLVES to DELEGATE to the CEO the ability to undertake any modifications to the Development Plan that:</p> <ul style="list-style-type: none"> • may arise from comments of the land owner of Lot 526 Madigan Road; • allows the insertion into Part A of the Development Plan a land use zoning table; • relates to any modification to the landscaping provisions within Part A; • relates to general grammatical corrections and minor revisions to plans and text; <p>prior to the document being forwarded to the Western Australian Planning Commission for endorsement.</p> <p>3. FORWARD the Development Plan to the Western Australian Planning Commission for endorsement.</p>
16 February 2015	153070	11.3	<p>1. That Council by SIMPLE Majority pursuant to Section 3.18 of the Local Government Act 1995 RESOLVES to ADVERTISE the Karratha Revitalisation Strategy Stage 1 Report for a period of 21 days.</p> <p>2. That Council by ABSOLUTE Majority in pursuance to Section 5.42 of the Local Government Act 1995 RESOLVES to DELEGATE to the Chief Executive Officer authority to make any additional minor revisions to the Karratha Revitalisation Strategy Stage 1 Report required to finalise the document, including making clearer the links between planning issues, plans and actions recommended and priority actions that may follow advertisement.</p>

Date	Resolution	Item	Delegation
16 March 2015	153086	11.1	<p>That Council by SIMPLE Majority pursuant to Section 3.18 of the Local Government Act 1995 RESOLVES to:</p> <ol style="list-style-type: none"> 1. ADVERTISE the revised draft Parking Supply and Management Strategy (March 2015) and the draft Dwell Time Limits Plan for a period of not less than sixty (60) days. 2. DELEGATE to the Chief Executive Officer authority to make minor modifications to the Parking Supply and Management Strategy (March 2015) and the draft Dwell Time Limits Plan prior to advertising. 3. CONSULT with the landowners of Hedland Place, Karratha about their preferred option to manage parking for their properties. 4. REPORT back to Council following consideration of any submissions received during the advertising period for final endorsement of the Parking and Supply Management Strategy.
16 March 2015	153091	11.6	<p>That Council by:</p> <ol style="list-style-type: none"> SIMPLE Majority pursuant to Regulation 12A of the Town Planning Regulations 1967 RESOLVES to: <ol style="list-style-type: none"> a) ADOPT the draft Local Planning Strategy, including any minor modifications, for the purpose of referral to Western Australian Planning Commission for certification as being consistent with regulation 12A(3) of the Town Planning Regulations 1967 and for consent to advertise. b) FORWARD the draft Local Planning Strategy (including any minor modifications) to the Western Australian Planning Commission for consideration and consent to advertise. 2. ABSOLUTE Majority pursuant to Section 5.42 of the Local Government Act 1995 RESOLVES to DELEGATE to the Chief Executive Officer the power to make any minor modifications to the draft Local Planning Strategy, including modifications to draft strategies and actions to make sure the draft Local Planning Strategy fully represents the preferred future planning direction for the City.
20 April 2015	153120	12.2	<p>That Council by ABSOLUTE Majority pursuant to Section 3.58 and Section 5.42 of the Local Government Act 1995 RESOLVES to:</p> <ol style="list-style-type: none"> 1. APPROVE the disposal of P8000 Volvo L70 Loader by way of Public Auction; 2. APPROVE the disposal of P8811 Caterpillar Articulated Dump Truck by way of Public Auction; 3. APPROVE the disposal of P8802 Iveco Acco Side Load Rubbish Truck by way of Tender, or if no Tenders are accepted, by way of TRADE IN where the CEO be DELEGATED to accept or decline offers for P8802 up to the value of \$100,000 ex GST. 4. That Council NOTES that the CEO will accept or reject Tenders or Auction — outcomes under existing Delegated Authority provisions.
18 May 2015	153137	10.3	<ol style="list-style-type: none"> 1. That Council by SIMPLE Majority pursuant to Section 3.57 and 3.58 of the Local Government Act 1995 RESOLVES to: <ol style="list-style-type: none"> a) ACKNOWLEDGE the Dampier Community Association's formal withdrawal from negotiations with the City for the management of the Dampier Community Hub. b) APPROVE the internal City of Karratha management of the Dampier Community Hub, noting the updated operational costs and income for the Dampier Community Hub. c) APPOINT the Dampier Community Association as the preferred proponent; and <ol style="list-style-type: none"> i. NEGOTIATE the terms of the lease agreement under the following conditions for areas within the Dampier Community Hub; (REFER TABLE IN MINUTES) and ii. AUTHORISE the Mayor and the CEO to execute the Lease Agreement under common seal.

Date	Resolution	Item	Delegation
			2. That Council by ABSOLUTE Majority pursuant to Section 3.58 and 5.42 of the Local Government Act 1995 RESOLVES to DELEGATE to the Chief Executive Officer to: a) APPOINT the preferred proponents via the statutory required process and negotiate the terms of the lease agreements under the following conditions for areas within the Dampier Community Hub: (REFER TABLE IN MINUTES)
18 May 2015	153158	17.1	That Council by ABSOLUTE Majority pursuant to Section 5.42 and Section 3.57 of the Local Government Act 1995 and Regulation 11(2)(e) of the Local Government (Functions and General) Regulations 1996 RESOLVES to AUTHORISE the Chief Executive Officer to acquire Lot 319 (located at Bayly Avenue and Rowell Street) at Karratha Airport, from the Australian Maritime Safety Authority, up to a maximum value of [confidential] on the basis that it is a strategically important parcel of Karratha Airport land.
15 June 2015	153176	12.4	1. That Council by SIMPLE Majority pursuant to Section 3.58 of the Local Government Act 1995 RESOLVES to OFFER Licence Agreements to Airlines who operate from the Karratha Airport pertaining to the provision of Self-Service Check-In Kiosks, Q Card Readers (or similar/equivalent) and Customer Service Desks with the terms being as per the below schedule: (REFER TABLE IN MINUTES) 2. SUBJECT to the outcome of the offers outlined above; Council by ABSOLUTE Majority pursuant to Section 5.42 of the Local Government Act 1995 RESOLVES to DELEGATE Authority to the Chief Executive Officer to EXECUTE the Licence Agreement/s.
17 August 2015	153225	12.3	1. That Council by SIMPLE Majority pursuant to Sections 3.57 and 6.8 of the Local Government Act 1995 RESOLVES to: a) ACCEPT the Department of Sport and Recreation CSRFF grant of \$804,029 in accordance with the agreed revised scope and conditions; b) ENDORSE the calling of Tenders for Upgrade of the Karratha Golf Course Reticulation Scope of Works as detailed in this report; c) ENDORSE the Tender selection Evaluation Criteria weighting as follows: Criteria Weighting Relevant Experience 20% Capacity to Deliver 10% Demonstrated Understanding 10% Price 60% d) MODIFY the Draft 2015/16 Budget to complete the Stage 2 reticulation upgrade and associated works as detailed in the table below, which results in a nil impact on surplus / deficit in Council' Draft 2015/16 Budget. (REFER TABLE IN MINUTES). 2. That Council by ABSOLUTE Majority pursuant to Section 5.42 of the Local Government Act 1995 RESOLVES to DELEGATE authority to the Chief Executive Officer to award the tender for the Upgrade of the Karratha Golf Course Reticulation within the budget allocation.
26 October 2015	153281	13.2	1. That Council by SIMPLE Majority pursuant to Section 3.58 of the Local Government Act 1995 RESOLVES to ENDORSE the advertising, marketing and negotiation of all or part of the commercial space - lot LA 35 at Karratha Airport, with aviation related businesses, based on the following proposed terms:

Date	Resolution	Item	Delegation
			<p>Proposed Commercial Terms Lease Term 5 Years Commercial Rent Developed Area \$200/m2 Available Area 100m2 air-conditioned building \$20,000 Commercial Rent Partially Improved Area \$10/m2 Available Area 600m2 enclosed yard, drive and lay away area, and covered porch \$7,000 Proposed Commercial Rental Amount Total Annual Revenue \$27,000</p> <p>2. SUBJECT to the above, Council by ABSOLUTE Majority pursuant to Section 5.42 of the Local Government Act 1995 RESOLVE to DELEGATE Authority to the Chief Executive Officer to publicly advertise the proposed lease of lot LA 35 at Karratha Airport, seek public submissions and subject to no material submissions being received, finalise lease negotiations and authorise the execution of the Lease Agreement(s).</p>
16 November 2015	153304	12.6	<p>1. That Council by SIMPLE Majority pursuant to Section 3.57 of the Local Government Act 1995 RESOLVES to:</p> <p>a) NOMINATE Pindan Contracting Pty Ltd ABN 51 120 076 360 as the preferred tenderer based on the assessment of the compliance criteria, qualitative criteria and pricing structures offered under RFT 01-15/16 – Tambrey Pavilion Design and Construct; and</p> <p>b) ADOPT a preliminary Project Budget of \$2,806,410 noting that Council has allocated \$1.5m in its 2015/16 Budget and that further funds will be required for the 2016/2017 Budget to complete the project.</p> <p>2. That Council by ABSOLUTE Majority pursuant to Section 5.42 of the Local Government Act 1995 RESOLVES to:</p> <p>a) AUTHORISE the Chief Executive Officer to enter in to a value management negotiation with Pindan Contracting Pty Ltd to consider design amendments to reduce the contract cost where the amendments do not impact functionality; and</p> <p>b) SUBJECT to the outcomes of that negotiation, DELEGATE Authority to the Chief Executive Officer to execute a contract with Pindan Contracting Pty Ltd.</p>
14 December 2015	153333	12.1	<p>1. That Council by SIMPLE Majority pursuant to Section 3.57 of the Local Government Act 1995 RESOLVES to NOMINATE Timik Developments Pty Ltd ABN 151 241 894 75 as the preferred tenderer based on the assessment of the compliance criteria, qualitative criteria and pricing structures offered under RFT 07 – 15/16 Pt Samson Foreshore Works – Stage 1 Miller Close.</p> <p>2. That Council by ABSOLUTE Majority pursuant to Section 5.42 of the Local Government Act 1995 RESOLVES to:</p> <p>a) AUTHORISE the Chief Executive Officer to enter in to negotiation with Timik Developments Pty Ltd to consider minor design modifications that do not materially impact on the Council endorsed design; and</p>

Date	Resolution	Item	Delegation
			b) SUBJECT to the outcomes of that negotiation being within Councils Budget allocation, DELEGATE Authority to the Chief Executive Officer to execute a contract with Timik Developments Pty Ltd.
27 January 2016	153360	12.1	<p>1. That Council by SIMPLE Majority pursuant to Section 3.57 of the Local Government Act 1995 RESOLVES to NOMINATE Xelerator Pty Ltd trading as KBSS Engineering ABN 37 142 635 256 as the preferred tenderer for RFT 09-15/16 — Design and Construct Pedestrian Bridges based on the assessment of the compliance criteria, qualitative criteria and pricing structures offered.</p> <p>2. That Council by ABSOLUTE Majority pursuant to Section 5.42 of the Local Government Act 1995 RESOLVES to:</p> <p>a) AUTHORISE the Chief Executive Officer to enter into negotiations with KBSS Engineering to consider minor design amendments; and</p> <p>b) SUBJECT to the outcome of the negotiations being within Council's Budget allocation, DELEGATE Authority to the Chief Executive Officer to EXECUTE a contract with KBSS Engineering.</p>
15 February 2016	153373	10.1	<p>1. That Council by SIMPLE Majority pursuant to Section 3.57 of the Local Government Act 1995 RESOLVES to AUTHORISE the Chief Executive Officer to call tenders for the fabrication and construction of permanent shade structures at Bulgarra play space and Saylor Park utilising the following selection criteria and weighting:</p> <p>Selection Criteria Weighting % Price 60% Key Personnel Skills and Experience 20% Tenderer's Resources 10% Demonstrated Understanding 10%</p> <p>2. That subject to a tender submission being within existing budget parameters, Council by ABSOLUTE Majority pursuant to Section 5.42 of the Local Government Act 1995 RESOLVES to DELEGATE authority to the Chief Executive Officer to award the tender for the fabrication and construction of permanent shade structures at Bulgarra play space and Saylor Park.</p>