



DELEGATIONS AND AUTHORISATIONS REGISTER

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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 provide 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 those 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. Annual returns are to be completed by 31st August in each year 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.
- 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.

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

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, Ranger Administration Compliance Officer, 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:	46/06/2014 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 37(5) <i>Control of Vehicles (Off-Road) Areas Act 1978</i>
AUTHORISATION TO:	Chief Executive Officer; and Director Development Services.
AUTHORISATION:	Authorised to withdraw infringement notices under s.37(5) <i>Control of Vehicles (Off-Road Areas) Act 1978</i> .
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 16/06/2014

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, Ranger Administration Compliance Officer, 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 16/06/2014

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) <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:	Ranger Services Coordinator, Senior Rangers, Rangers, Ranger Administration Compliance Officer, 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) <i>Caravan Parks and Camping Grounds Act 1995</i> Appointed as an 'authorised person' for the purpose of serving infringement notices in accordance with s.23(2).
CONDITIONS:	N/A
REFERENCES:	N/A
DATE ADOPTED:	20/10/2003
LAST REVIEWED:	15/06/2015 16/06/2014

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 16/06/2014

6. 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 <i>Dog Act 1976</i> .
AUTHORISATION TO:	Ranger Services Coordinator, Senior Rangers, Rangers, Ranger Administration Compliance Officer, Trainee Ranger; and Emergency Management Coordinator.
AUTHORISATION:	Appointed as an 'authorised person' for the purposes detailed in the <i>Dog Act 1976, 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:	16/06/2014 15/06/2015

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

AUTHORISATION FROM:	Local Government
POWER TO AUTHORISE:	Section 29(1) <i>Dog Act 1976</i> - 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, Ranger Administration Compliance Officer, Trainee Ranger; and Emergency Management Coordinator.
AUTHORISATION:	Regulation 13(2) <i>Dog Regulations 1976</i> 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:	46/06/2014 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) <i>Dog Act 1976</i> - 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:	Chief Executive Officer; and Director Development Services.
AUTHORISATION:	Regulation 13(6) <i>Dog Regulations 1976</i> 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:	16/06/2014 15/06/2015

9. DOG ACT 1976 – REGISTRATION OFFICERS

AUTHORISATION FROM:	Local Government
POWER TO AUTHORISE:	Section 3(1) <i>Dog Act 1976</i> – ‘registration officer’ means a person authorised by the local government to effect the registration of dogs pursuant to the <i>Dog Act 1976</i> .
AUTHORISATION TO:	Ranger Services Coordinator, Senior Rangers, Rangers, Ranger Administration Compliance Officer, Trainee Ranger; Emergency Management Coordinator; Customer Service Supervisor, Customer Service Officers; Corporate Services Administration Assistant; and Roebourne Library Officers.
AUTHORISATION:	Appointed as a ‘registration officer’ for the purposes detailed in the <i>Dog Act 1976</i> and <i>Dog Regulations 1976</i> .
CONDITIONS:	N/A
REFERENCES:	Dogs Local Law
DATE ADOPTED:	20/10/2003
LAST REVIEWED:	16/06/2014 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:	46/06/2014 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:	16/06/2014 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:	4/6/2014 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:	16/06/2014 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:	16/06/2014 15/06/2015

15. WITHDRAWAL OF INFRINGEMENT NOTICES UNDER THE FOOD ACT 2008

AUTHORISATION FROM:	Local Government
POWER TO AUTHORISE:	<i>Section 126(13) Food Act 2008</i> – 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:	<i>Section 126(6) and (7) Food Act 2008</i> 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:	16/06/2014 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 Airport Security Officers (Kerbside)
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:	16/06/2014 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, Ranger Administration Compliance Officer, Trainee Ranger;</p> <p>Cossack Caretakers;</p> <p>Emergency Management Coordinator; and</p> <p>Airport Property Officer Parking & Ground Transportation, Airport Administration Officer, Airport Compliance Coordinator, Airport Reporting Officers, Front of House Officers Airport Security Officers (Kerbside).</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:	16/06/2014 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:	16/06/2014 15/06/2015

19. CEMETERIES ACT [RM1]1986 – AUTHORISATIONS

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

- 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

AUTHORISED PERSONS UNDER CEMETERIES LOCAL LAW AND SERVICE OF INFRINGEMENT NOTICES

AUTHORISATION FROM:

Local Government (referred to as the Board under the **Cemeteries Act 1986**)

POWER TO AUTHORISE:

Section 64 Cemeteries Act 1986—an employee of a Board may be authorised in writing signed by the chairman of the Board to give infringement notices.

AUTHORISATION TO:	<p>Manager Infrastructure;</p> <p>Ranger Services Coordinator, Senior Rangers, Rangers, Trainee Ranger; and</p>
AUTHORISATION:	<p>s.63(1) Cemeteries Act 1986 — authority to give infringement notices.</p> <p>Note, that this also extends to the functions of an authorised officer under the Cemeteries Local Law.</p>
CONDITIONS:	N/A
REFERENCES:	Cemeteries Local Law
DATE ADOPTED:	17/06/2013
LAST REVIEWED:	16/06/2014

19.20. 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:	46/06/2014 15/06/2015

20-21. 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, Ranger Administration Compliance Officer, Trainee Ranger; Emergency Management Coordinator; and Manager Regulatory Services.
AUTHORISATION:	Appointed as an ‘authorised person’ for the purposes detailed in the Cat Act 2011 and Cat Regulations 2012 (except for the purposes detailed under s.62 Cat Act 2011).
CONDITIONS:	N/A
REFERENCES:	N/A
DATE ADOPTED:	19/08/2013
LAST REVIEWED:	16/06/2014 15/06/2015

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

AUTHORISATION FROM:	Local Government
POWER TO AUTHORISE:	<i>Section 48(1) Cat Act 2011</i> – A local government may appoint persons or classes of persons to be authorised for the purposes of performing particular functions under the <i>Cat Act 2011</i> .
AUTHORISATION TO:	Ranger Services Coordinator, Senior Rangers, Rangers, Ranger Administration Compliance Officer; Emergency Management Coordinator; and Manger Regulatory Services.
AUTHORISATION:	<i>Section 62(1) Cat Act 2011</i> Appointed as an ‘authorised person’ for the purpose of serving infringement notices in accordance with s.62(1).
CONDITIONS:	N/A
REFERENCES:	<i>Cat Regulations 2012</i>
DATE ADOPTED:	19/08/2013
LAST REVIEWED:	46/06/2014 15/06/2015

22.23. 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:	16/06/2014 15/06/2015

23-24. CAT ACT 2011 – REGISTRATION OFFICERS

AUTHORISATION FROM:	Local Government
POWER TO AUTHORISE:	<i>Section 9(1) Cat Act 2011</i>
AUTHORISATION TO:	Customer Service Supervisor, Customer Service Officers; Corporate Services Administration Assistant; Roebourne Library Officers; Ranger Services Coordinator, Senior Rangers, Rangers, Ranger Administration Compliance Officer; Emergency Management Coordinator; and Manager Regulatory Services.
AUTHORISATION:	Appointed as a 'registration officer' for the purposes of cat registration as detailed in the <i>Cat Act 2011</i> and <i>Cat Regulations 2012</i> .
CONDITIONS:	N/A
REFERENCES:	N/A
DATE ADOPTED:	19/08/2013
LAST REVIEWED:	16/06/2014 15/06/2015

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: Authorised to request the Minister for Lands to exercise his powers under the **Land Administration Act 1997** in relation to the following matters:

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:
 - i. alienated land designated for a public purpose on plan of survey
 - ii. private road
 - iii. 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

<u>AUTHORISATION FROM:</u>	<u>Local Government</u>
<u>POWER TO AUTHORISE:</u>	<u>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.</u>
<u>AUTHORISATION TO:</u>	<u>Manager Regulatory Services, Coordinator Environmental Health Services and Environmental Health Officers.</u> <u>Director Development Services, Manager Planning Services, Principal Statutory Planner and Senior Statutory Planners.</u>
<u>AUTHORISATION:</u>	<u>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>.</u>
<u>CONDITIONS:</u>	<u>The Manager Regulatory Services, Coordinator Environmental Health Services and Environmental Health Officers are authorised to sign section 39 certificates only.</u> <u>Director Development Services, Manager Planning Services, Principal Statutory Planner and Senior Statutory Planners are authorised to sign section 40 certificates only.</u>
<u>REFERENCES:</u>	<u>N/A</u>
<u>DATE ADOPTED:</u>	<u>15/06/2015</u>
<u>LAST REVIEWED:</u>	<u>15/06/2015</u>

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

<u>AUTHORISATION FROM:</u>	<u>Local Government</u>
<u>POWER TO AUTHORISE:</u>	<u>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.</u>
<u>AUTHORISATION TO:</u>	<u>Manager Regulatory Services, Coordinator Environmental Health Services and Environmental Health Officers.</u>
<u>AUTHORISATION:</u>	<u>Authorised to issue Certification of Local Government Authority under section 55 of the <i>Gaming and Wagering Commission Act 1987</i>.</u>
<u>CONDITIONS:</u>	<u>N/A</u>
<u>REFERENCES:</u>	<u>N/A</u>
<u>DATE ADOPTED:</u>	<u>15/06/2015</u>
<u>LAST REVIEWED:</u>	<u>15/06/2015</u>

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

<u>AUTHORISATION FROM:</u>	<u>Local Government</u>
<u>POWER TO AUTHORISE:</u>	<u>Section 9.10(1) 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.</u>
<u>AUTHORISATION TO:</u>	<u>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.</u>
<u>AUTHORISATION:</u>	<u>Authorised to issue visitor's permits under the Tidepole Island Local Law 2007 only.</u>
<u>CONDITIONS:</u>	<u>The above persons are not authorised to perform any other functions of authorised officers/persons under the Tidepole Island Local Law 2007.</u>
<u>REFERENCES:</u>	<u>Tidepole Island Local Law 2007.</u> <u>For the avoidance of doubt: The Manager Regulatory Services, Ranger Services Coordinator, Senior Rangers, Rangers, Ranger Administration Compliance Officer 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.</u>
<u>DATE ADOPTED:</u>	<u>15/06/2015</u>
<u>LAST REVIEWED:</u>	<u>15/06/2015</u>

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:	Chief Executive Officer; Ranger Services Coordinator, Senior Rangers, Rangers, Ranger Administration Compliance Officer, 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:	46/06/2014 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.
AUTHORISATION:	Sections 228 and 229 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:	16/06/2014 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:	16/06/2014 15/06/2015

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

AUTHORISATION FROM:	Chief Executive Officer
POWER TO AUTHORISE:	<i>Clause 9.1(c) Town Planning Scheme No.8</i> (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, Lands Officer.
AUTHORISATION:	<i>Clause 9.1(c) Town Planning Scheme No.8</i> 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:	16/06/2014 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 Ranger Administration Compliance Officer, 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:	16/06/2014 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, Ranger Administration Compliance Officer, 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, Airport Operations Coordinator, Airport Property Officer Airport Parking & Ground Transportation, Airport Compliance Coordinator, Airport Administration Officer, Airport Reporting Officers, Front of House Officers Airport Security Officers (Kerbside); 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 the all of the local laws listed above.</p> <p>The Ranger Services Coordinator, Senior Rangers, Rangers, Ranger Administration Compliance Officer</p>

[and Trainee Ranger](#) are appointed under ~~the~~ all of the local laws listed above.

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, Airport Operations Coordinator, Airport [Property Officer](#) ~~Parking & Ground Transportation~~, Airport Compliance Coordinator, Airport Administration Officer, Airport Reporting Officers, [Front of House Officers](#) ~~Airport Security Officers (Kerbside)~~ 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:

~~46/06/2014~~ [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:	16/06/2014 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, Ranger Administration Compliance Officer, 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:	16/06/2014 15/06/2015

9. ~~CEMETERIES~~^[RM2] ~~ACT 1986 – EMPLOYEES APPOINTED TO CARRY OUT FUNCTIONS OF THE BOARD AND CEO~~

~~AUTHORISATION FROM:~~

~~Chief Executive Officer~~

~~Note: Pursuant to section 6 **Cemeteries Act 1986** the Local Government is the Board. Pursuant to clause 2.1 of the Cemeteries Local Law 2003 the CEO exercises all the powers and functions of the Board in respect of the cemetery.~~

~~POWER TO AUTHORISE:~~

~~**Section 10(1) Cemeteries Act 1986** – A Board may appoint such employees, either full time or part time, as it considers necessary to enable it to carry out its functions.~~

~~AUTHORISATION TO:~~

~~Director Corporate Services;
Manager Governance and Organisational Strategy;
Customer Service Supervisor;
Manager Infrastructure; and
Ranger Services Coordinator, Senior Rangers,
Rangers, Trainee Ranger.~~

~~AUTHORISATION:~~

~~Appointed to exercise the functions of the Board and the CEO under the **Cemeteries Act 1986** and Cemeteries Local Law 2003.~~

~~This appointment does not extend to functions under Division 4 of Part V of the **Cemeteries Act 1986** and Part VIII of the **Cemeteries Act 1986**.~~

~~CONDITIONS:~~

~~Any expenditure authorised must be within the limit detailed in the Purchasing Authority Limits form.~~

~~The Customer Service Supervisor is only appointed in relation to funeral permits under sections 20 and 21 of the **Cemeteries Act 1986** and grants of rights of burial under sections 25, 26, 27 and 28 of the **Cemeteries Act 1986**.~~

~~The Manager Infrastructure is only appointed in relation to the following functions:~~

- ~~• removal or alteration of memorials under sections 31 and 32 of the **Cemeteries Act 1986**~~
- ~~• authorising expenditure under section 47 of the **Cemeteries Act 1986**~~
- ~~• approvals and permissions under clauses 7.8, 7.9 and 8.3 of the Cemeteries Local Law 2003.~~

~~The Ranger Services Coordinator, Senior Rangers, Rangers and Trainee Ranger are only appointed in relation to the removal or alteration of memorials under section 31 of the **Cemeteries Act 1986**.~~

REFERENCES:

N/A

DATE ADOPTED:

20/03/2015

LAST REVIEWED:

20/03/2015

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:	16/06/2014 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:	16/06/2014 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 CE2 – Legal Representation & Costs 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:	16/06/2014 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:	16/06/2014 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:

~~16/06/2014~~[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.
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:	16/06/2014 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: ~~16/06/2014~~ [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 \$1,000.00. If the total collective debt is over \$1,000.00, 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:	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:	16/06/2014 15/06/2015

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:	16/06/2014 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:	16/06/2014 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 \$2,000.00 towards any fee (whichever is the lesser amount) for Council facilities and services, including:</p> <ul style="list-style-type: none">• Karratha Leisureplex• Seven Mile Landfill Facility;• Wickham Transfer Station;• Frank Butler Community Centre;• Roebourne Aquatic Centre;• Karratha Public Golf and Bowling Courses;• Karratha Tennis Courts (Bulgarra/ Millars Well);• Roebourne Basketball Courts;• Millars Well Pavilion;• Pegs Creek Pavilion; 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; and Director Strategic Projects & Infrastructure.
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:

~~16/06/2014~~[15/06/2015](#)

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:	16/06/2014 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 accept a tender.</p>
CONDITIONS:	The 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:	16/06/2014 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:

~~16/06/2014~~[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

~~1. Authority to dispose of property by way of public tender, public auction or local public notice (with the exception of Authority 2 & 3 below) where:~~

- ~~• the individual market value of the property to be disposed of is less than \$50,000.00; or~~
- ~~• the property value is greater than \$50,000.00 where the property is disposed of as part of the consideration for other property that the local government is acquiring for a consideration, the total value which is not more (or worth more) than \$100,000.00.~~

~~2. Authority to enter into lease arrangements for:~~

- ~~• the disposal of property as a result of a public tender, public auction, local public notice or some other means where the market value of the property to be disposed of is less than \$20,000.00; or~~
- ~~• the leasing of Council owned residential property to staff and other persons.~~

~~3. Authority to gift or donate property with a maximum value of \$500.00.~~

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 property is disposed of as part of the consideration for other property that the local government is acquiring for a consideration, the total value of which is not more (or worth more) than \$100,000.00 (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).

Disposal of an interest in Land:

5. 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).

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

7. 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).

CONDITIONS:

N/A 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:

N/A *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 [72](#) 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:

~~16/06/2014~~ [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:

~~16/06/2014~~[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, Ranger Administration Compliance Officer, 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, Airport Operations Coordinator, Airport Property Officer Parking & Ground Transportation, Airport Compliance Coordinator, Airport Administration Officer, Airport Reporting Officers; and</p> <p>Manager Leisure Services, Manager Recreation Facilities.</p>

CONDITIONS

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

The Ranger Services Coordinator, Senior Rangers, Rangers, Ranger Administration Compliance Officer and Trainee Ranger are appointed under ~~the~~ 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, Airport Operations Coordinator, Airport Property Officer ~~Parking & Ground Transportation~~, Airport 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.

The Manager Leisure Services, Manager Recreation Facilities, are appointed under the Local Government Property Local 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:

~~16/06/2014~~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, Lands Officer; Emergency Management Coordinator; Ranger Services Coordinator, Senior Rangers, Rangers, Ranger Administration Compliance Officer, 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:

~~16/06/2014~~ [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:	<p>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.</p> <p>2. Authority to carry out works on land not owned by the Council pursuant to s.3.27 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:	<p>Building Coordinator, Senior Building Surveyors, Building Surveyors, Building Compliance Officer;</p> <p>Manager Planning Services, Senior Strategic Planners, Principal Statutory Planner, Senior Statutory Planners, Statutory Planners, Lands Officer;</p> <p>Emergency Management Coordinator;</p> <p>Ranger Services Coordinator, Senior Rangers, Rangers, Ranger Administration Compliance Officer, Trainee Ranger;</p> <p>Coordinator Environmental Health Services, Environmental Health Officers;</p> <p>Manager Regulatory Services; and</p> <p>Technical Services Coordinator.</p>
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:

~~16/06/2014~~[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:	Section 3.47(1) Local Government Act 1995 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 . Section 3.47(2a) and (2b) Local Government Act 1995 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).
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:	16/06/2014 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:	<p>Authority 3 above only is sub-delegated to:</p> <p>Manager Infrastructure Services;</p> <p>Ranger Services Coordinator, Senior Rangers, Rangers, Ranger Administration Compliance Officer, Trainee Ranger;</p> <p>Emergency Management Coordinator; and</p> <p>Manager Waste Services.</p>
RECORD OF USE:	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.

Authority 3 – 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:

~~16/06/2014~~ [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, Ranger Administration Compliance Officer, 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:	16/06/2014 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:	16/06/2014 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 and withdraw 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:	16/06/2014 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:	16/06/2014 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) , and Technical Services Coordinator; Manager Infrastructure Services ; Ranger Services Coordinator, Senior Ranger, Rangers, Ranger Administration Compliance Officer, 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:	16/06/2014 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:	16/06/2014 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:	16/06/2014 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:	16/06/2014 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; and 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>Note, that where applicable this extends to the Health Local Laws 2012.</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:	16/06/2014 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:	16/06/2014 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:	16/06/2014 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:	16/06/2014 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.

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 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 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.

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:

~~16/06/2014~~[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:	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 - 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:	16/06/2014 15/06/2015

36. TOWN PLANNING – SUBDIVISIONS

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.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	<p>1. Subdivision Referrals (Green Title and Survey Strata)</p> <p>Authority to make recommendations on any subdivision proposal referred to Council by the Western Australian Planning Commission.</p> <p>2. Subdivision Clearances</p> <p>Authority to certify the clearance of Local Government conditions required by the Western Australian Planning Commission for subdivision approval.</p>
CONDITIONS:	<p>1. Subdivision Referrals (Green Title and Survey Strata)</p> <p>Recommendations are to be consistent with any policy and/or development plan adopted by Council for the land proposed to be subdivided.</p> <p>2. Subdivision Clearances</p> <p>N/A</p>
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.
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:

~~16/06/2014~~[15/06/2015](#)

37. TOWN PLANNING – MAKING SUBMISSIONS ON BEHALF OF COUNCIL

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.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	<p>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:</p> <ul style="list-style-type: none">• 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;• Appearing in the Mining Warden's Court in support of submissions including objections.
CONDITIONS:	<p>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.</p> <p>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.</p> <p>Council submissions supporting mining tenement applications that fall within a gazetted townsite shall be endorsed by Council.</p>
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.

SUB-DELEGATED TO:

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

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:

~~16/06/2014~~[15/06/2015](#)

38. TOWN PLANNING – DEVELOPMENT AND PERFORMANCE BONDS

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.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	Authority to: <ul style="list-style-type: none">• 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 - 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:	16/06/2014 15/06/2015

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

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.

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 - **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: ~~16/06/2014~~[15/06/2015](#)

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

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 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, has requested the matter be referred to the Council for consideration.

REFERENCES: N/A

POWER TO SUB-DELEGATE: No - **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.

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: ~~16/06/2014~~ [15/06/2015](#)

41. TOWN PLANNING – DEVELOPMENT PLANS

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.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	<p>Delegation of power to:</p> <ul style="list-style-type: none">• Advertise development plans for public inspection;• Request further information in relation to the assessment of development plans;• Consider submissions in relation to development plans; and• Refer Council endorsed development plans to the Western Australian Planning Commission for approval.• Determine minor proposed amendments to development plans.
CONDITIONS:	Development plans must be referred to Council for consideration and endorsement.
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.
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:

~~16/06/2014~~ [15/06/2015](#)

42. TOWN PLANNING – DETAILED AREA PLANS

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.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	Delegation of power to: <ul style="list-style-type: none">• Determine whether and to what extent detailed area plans require advertising;• Request further information in relation to the assessment of detailed area plans;• Consider submissions in relation to detailed area plans; and• Determine applications for adoption and endorsement of detailed area 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 - 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:	16/06/2014 15/06/2015

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

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
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	Authority to authorise an officer of the Council to carry out the functions detailed in clause 9.1(c) of the Town Planning Scheme No.8 .
CONDITIONS:	N/A
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.
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:	17/06/2013
LAST REVIEWED:	16/06/2014 15/06/2015

44. TOWN PLANNING – DECISIONS RELATING TO RESIDENTIAL FRONTAGE – HEIGHT OF BUILDINGS AND STRUCTURES

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.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	Authority to determine applications for garages, carports, boatports, and non-habitable outbuildings where a wall height of greater than 3.6 metres is proposed, where no objections have been received.
CONDITIONS:	N/A
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.
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:	20/05/2013
LAST REVIEWED:	16/06/2014 15/06/2015

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:	16/06/2014 15/06/2015

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:	16/06/2014 15/06/2015

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 10/07/2014

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](#)~~11/11/2014~~

49. DOG ACT 1976 – LICENSING OF APPROVED KENNEL ESTABLISHMENTS

<u>DELEGATED BY:</u>	<u>Local Government</u>
<u>POWER TO DELEGATE:</u>	<u>Section 10AA Dog Act 1976 – 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.</u>
<u>DELEGATED TO:</u>	<u>Chief Executive Officer</u>
<u>POWER/AUTHORITY DELEGATED:</u>	<u>Authority to grant a licence to keep an approved kennel establishment under section 27 Dog Act 1976 and Part 4 of the Dogs Local Law.</u> <u>Note that this does not extend to the variation or cancellation of a licence.</u>
<u>CONDITIONS:</u>	<u>N/A</u>
<u>REFERENCES:</u>	<u>N/A</u>
<u>POWER TO SUB-DELEGATE:</u>	<u>Yes - Section 10AA Dog Act 1976 – the delegation may expressly authorise the Delegate to further delegate the power or duty.</u>
<u>SUB-DELEGATED TO:</u>	<u>Manager Regulatory Services and Ranger Services Coordinator</u>
<u>RECORD OF USE:</u>	<u>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.</u>
<u>DATE ADOPTED:</u>	<u>15/06/2015</u>
<u>LAST REVIEWED:</u>	<u>15/06/2015</u>

APPENDIX - OTHER DELEGATIONS BY COUNCIL RESOLUTION

Date	Resolution	Item	Delegation
20/12/2010	151482 [MG3]	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.
14/02/2011	151523 [MG4]	16.1	Council delegates authority to the Chief Executive Officer to carry out the above amendments [lease term and area variations] to the lease held between Bristow Helicopters Australia Pty Ltd and the City of Karratha.
20/06/2011	151666[VT5]	12.6	<p>That the Council resolves to:</p> <p>1. Adopt the Karratha City Centre Infrastructure Works (KCCIW) Place Team 'Terms of Reference' in order to grant decision making delegation to the KCCIW Place Team with respect to the implementation of the Karratha City Centre Master Plan.</p> <p>2. Grants the Chief Executive Officer delegation to determine whether matters that aren't specifically addressed by the Terms of Reference either require Council resolution or whether the Place Team is delegated to decide on the matter in accordance with the Terms of Reference.</p> <p>3. Advises the Chief Executive Officer that it may remove the Place Team's delegation by way of further resolution.</p>
21/11/2011	151902[VT6]	17.4	<p>[Request for Heavy Vehicle Usage (Permit Support) for MOF Road]</p> <p>That Council by ABSOLUTE Majority RESOLVES to agree to allow Restricted Access Vehicle movements on City of Karratha Roads subject to the following:</p> <p>1. For any Heavy Vehicle Operator requiring Restricted Access Vehicle Permit Support on a non-Restricted Access Vehicle Route for repetitive freight cartage movements (such as fuel deliveries having 3-4 truck movements per week over a defined period), be approve by the City of Karratha Chief Executive Officer under delegated authority.</p> <p>2. For any Heavy Vehicle Operator or Associated Companies requiring Restricted Access Vehicle Permit Support for any 'campaign or cyclic' cartage operations, or of heavy vehicles that have excessive axle loads or require specialist axle configurations to accommodate the intended heavy loads which seek the use of the City of Karratha's Roads, are to be presented to Council for resolution and;</p> <p>a. That delegated authority to use the City of Karratha Road network for all heavy vehicle usage over long periods is determined via Council resolution.</p> <p>b. That, prior to any cartage occurring, a Road Maintenance Agreement is reached to provide Road Maintenance Services on the specific road(s).</p> <p>c. Throughout the cartage period the company must indemnify the City of Karratha against all associated liability, claim or loss against City of Karratha that is directly or indirectly a result of the road condition or the cartage operation being performed.</p>

Date	Resolution	Item	Delegation
			<p>d. That a security or performance bond be lodged in respect of the road infrastructure throughout the entire cartage period requested that will be used in the case of any unrepaired damage that occurs and is not addressed appropriately or in a timely manner.</p> <p>e. That Restricted Access Vehicle Permit Support is granted in allotments of 6 monthly periods until cartage completion.</p> <p>f. That the Chief Executive Officer be the delegated authority to approve the Restricted Access Vehicle Permit Support 6 monthly renewals and all associated agreements in (b), (c) and (d) above.</p>
19/12/2011	151962 [VT7]	17.10	<p>[Variation to Lot 16 Lease Area — Air BP, Karratha Airport]</p> <p>DELEGATE AUTHORITY to the Chief Executive Officer to execute the deed of variation to the lease.</p>
16 April 2012	151991 [VT8]	11.8	<p>[Road Maintenance Agreement]</p> <p>That Council by ABSOLUTE majority pursuant to Part 4 of the Local Government (Functions and Administration) regulations and sections 3.57 and 6.11 of the Local Government Act 1995 RESOLVES to:</p> <p>1. Endorse the Road Maintenance Agreement which comprises the Cash Contribution Deed, Road Maintenance Deed and associated Road Maintenance Guideline documents and endorse the processes involved.</p> <p>2. Delegate authority to the Acting Chief Executive Officer to negotiate Road Maintenance Agreements with Heavy Vehicle Transport Operators or Companies seeking access to the City of Karratha Road Network, for Heavy Vehicle Road access.</p> <p>3. Establish a reserve account for the purpose of Heavy Haulage Roads and provide one month's local public notice seeking submissions from the Community.</p>
21 May 2012	152052 [RM9]	12.1	<p>[Request for Restricted Access Vehicle Permit, King Bay Road]</p> <p>DELEGATE authority to the Chief Executive Officer, in the event that Heavy Vehicle Operators attempt to avoid Road Maintenance Agreement negotiations with the City of Karratha, to request MRWA Heavy Vehicle Operations Branch to list on their website the user condition of CA07 to the City of Karratha Road/s in question.</p>
21 May 2012	152061 [MG10]	12.11	<p>[Supplementary Accommodation – Lot 760 Baynton Drive, Baynton]</p> <p>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.</p>
21 May 2012	152066 [MG11]	12.14	<p>[Retrospective Application — Transient Workforce Accommodation — Lot 551 Balmoral Rd and Pt Lot 557 Crane Circle, Pegs Creek]</p> <p>That Council by ABSOLUTE MAJORITY of s.5.42 (1) of the <i>Local Government Act 1995</i> RESOLVES TO GRANT delegated authority to the Chief Executive Officer to initiate enforcement and legal proceedings in accordance with Part 13 of the <i>Planning</i></p>

Date	Resolution	Item	Delegation
			and Development Act 2005 if any of the conditions of approval of Planning Approval P2657 are not completed to satisfaction of the Responsible Authority.
21 May 2012	152077 [VT12]	18.6	[Review of POS] DELEGATE authority to the acting Chief Executive Officer to commence discussions with the Department of Regional Development and Lands with regards to the Process for land acquisition.
20 August 2012	152180 [VT13]	9.6	That Council by ABSOLUTE Majority pursuant to Section 3.58 of the Local Government Act 1995 RESOLVES to: 1. ENDORSE entering into a lease agreement for Lot 3897 with Karratha Community Association (or other incorporated organisation with similar objectives) for the purposes of a Community Garden. 2. AUTHORISE the Chief Executive Officer via delegated authority , to negotiate and authorise details of the lease agreement and lease boundaries on Lot 3897. 3. ADVERTISE the above lease agreement seeking public submissions and report back to Council only where submissions object to terms of lease resolved in resolution one. 4. APPROVE the use of Council Volunteers Register by the Karratha Community Garden Group until 31 December 2012 or until the group becomes incorporated — whichever comes first.
20 August 2012	152195 [MG14]	10.5	2. That Council by ABSOLUTE Majority pursuant to Clause 4.5.1 of the City of Karratha Town Planning Scheme No.8 RESOLVES to DELEGATE authority to the Chief Executive Officer to negotiate a monetary contribution from the applicant in relation to the approved Transient Workforce Accommodation Facility in accordance with the Council adopted Development Contribution Policy.
20 August 2012	152199 [MG15]	10.9	That Council by ABSOLUTE Majority pursuant to Section 3.18 of the Local Government Act 1995 RESOLVES to provide the Chief Executive Officer with delegated authority to determine and implement parking and stopping zones within the Council as per Local Law 1.7 of the City of Karratha Parking and Parking Facilities Local Law 2010.
15 October 2012	152282 [VT16]	10.11	3. That Council by ABSOLUTE Majority pursuant to Section 3.18 of the Local Government Act 1995 RESOLVES to: • AMEND Resolution 151902 dated 21 November 2011 as follows: a. For any heavy vehicle operator or associated companies requiring Restricted Access Vehicle Permit Support for any 'campaign or cyclic' cartage operations, or of heavy vehicles that have excessive axle loads or require specialist axle configurations to accommodate the intended heavy loads which seek the use of the City of Karratha's roads are to be presented to Chief Executive Officer for decision, and; c. That delegated authority to use the City of Karratha road network for all heavy vehicle usage over long periods is determined by the Chief Executive Officer under delegated authority." 4. That Council by ABSOLUTE Majority pursuant to Section 3.18 of the Local Government Act 1995 RESOLVES to: a. SUPPORT the "Interim Permit Support for Restricted Access Vehicles" received from Toll Mining Services West. b. SUPPORT the "Interim permit Support for Restricted Access Vehicles" received from WBHO-Civil. c. AUTHORISE the signing of the "Interim Permit Support for Restricted Access Vehicles" by the Chief Executive Officer.
19 November 2012	152315 [VT17]	10.5	That Council by ABSOLUTE Majority pursuant to Section 3.58 (2) & Section 5.42 of the Local Government Act 1995 RESOLVES to: 1. APPROVE the disposal of the cable and PVC pipe by public tender and for the resultant income to be allocated into a reserve

Date	Resolution	Item	Delegation
			for potential future Cossack Infrastructure; and 2. DELEGATE authority to Chief Executive Officer to accept or decline offers made by the tenderers.
19 November 2012	152316 [RM18]	10.6	<p>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.</p> <p>2. That Council by ABSOLUTE Majority pursuant to Section 5.42 of the Local Government Act 1995:</p> <p>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</p> <p>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.</p>
18 February 2013	152408 [MG19]	10.8	<p>1. That Council by SIMPLE Majority pursuant to Section 3.18 of the Local Government Act, 1995 RESOLVES to:</p> <p>a) AGREE to the relinquishment of the vesting to the Council of the Management Order (Crown Reserve 43715 over lot 4603) for Aged Persons Accommodation pursuant to Section 50 of the Land Administration Act 1997;</p> <p>b) AGREE to the cancellation of Reserve 43715 pursuant to Section 51 of the Land Administration Act 1997;</p> <p>c) AGREE to receiving a Crown Reserve with Management Order vesting for Health and Community on Site 5 proposed lot 7017 as shown in attachments 2 and 3;</p> <p>d) AGREE that the management Order on Site 5 proposed lot 7017 allow for power to lease (including sub lease) for a period of no more than 21 years for the purposes of Health and Community;</p> <p>e) Advise the Minister for Regional Development and Lands and Pilbara Development Commission of all items above.</p> <p>2. That Council by ABSOLUTE Majority pursuant to Section 3.18 of the Local Government Act 1995 DELEGATE AUTHORITY to the CHIEF EXECUTIVE OFFICER to do all things necessary to facilitate the land transactions associated with the establishment of a GP Super Clinic on Site 5 proposed lot 7017.</p> <p>3. That Council NOTE that a further report will be presented to Council for consideration regarding the proposed leasing arrangements once further negotiations have been held.</p>
15 April 2013	152458 [MG20]	11.2	<p>1. That Council by SIMPLE Majority pursuant to Section 3.18 of the Local Government Act 1995 RESOLVES to REQUEST the Minister for Lands to:</p> <p>a) EXCISE approximately 4,112m² from Reserve 46607 (for the purposes of Recreation) as shown in Attachment 2, pursuant to Section 51 of the Land Administration Act 1997, and AMALGAMATE this portion into Reserve 46193 Lot 768 (Education – Primary School). In doing so, the Council notes the following:</p> <p>(i) The Department of Education has agreed to EXCISE approximately 3,605m² from Reserve 46193 Lot 768 (Primary School) as shown in Attachment 2, pursuant to Section 51 of the Land Administration Act 1997, and AMALGAMATE this portion into existing Lot 291 (1,334m²) for a future 'Road Reserve';</p> <p>(ii) The RTIO under the State Agreement [Lease No I95322] has agreed to SURRENDER Lot 291 on Deposited Plan 185487 (1334m²) to be dedicated as the future Road Reserve; and</p>

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			<p>(iii) The Council notes that the Management Order for Reserve 46607 (Recreation) will automatically be REVOCED for the above portion of Crown Reserve 46607 pursuant to Section 50 of the Land Administration Act 1997.</p> <p>2. That Council by SIMPLE Majority pursuant to Section 3.18 of the Local Government Act 1995 RESOLVES to request the Minister for Lands to:</p> <p>a) CREATE a 'Drainage Reserve' of approximately 4,452m² over Unallocated Crown Land (UCL) Lot 292 with a Management Order in favour of the Council.</p> <p>b) REQUEST Rio Tinto Iron Ore to PREPARE a Planning Scheme map amendment to update the new boundaries of the Carse Street and Primary School Reserves as detailed at the cost of the RTIO.</p> <p>3. That Council by SIMPLE Majority pursuant to Section 3.18 of the Local Government Act 1995 RESOLVES to</p> <p>a) ACCEPT in full the ONGOING control and maintenance of the proposed 4,452m² 'Drainage Reserve' located adjacent to the Carse Street extensions eastern boundary.</p> <p>b) ACCEPT in full the ONGOING control and maintenance of the Carse Street Road Reserve once constructed and dedicated at the expense of RTIO with the standard defects liability to apply, once it is dedicated in accordance with Section 28 (1) of the Land Administration Act.</p> <p>c) That Council by ABSOLUTE Majority RESOLVES:</p> <p>a) DELEGATE its decision making powers to the Council Chief Executive Officer in accordance with Section 5.42 of the Local Government Act 1995 in regard to:</p> <p>i. The provision to the State of a statutory declaration in relation to any unregistered interests over Lot 770 and in relation to any contamination;</p> <p>ii. The resolution of any outstanding land interest matters to facilitate the project as set out in Attachment 2;</p> <p>iii. The certification of works to the satisfaction of the Council for the Carse Street extension, being generally in accordance with Plan WH-5610-C-00101 (as set out in Attachment 3), prepared by Serling dated 1 March 2013; and</p> <p>iv. The consideration of any future development applications that may arise in relation to the project; and</p> <p>v. No cost being borne by the Council.</p>
17 June 2013	152553 [VT21]	12.12	<p>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 EXECUTE Lease deed of variations to the relevant lease documents to effect changes to tenant's leases at the Karratha Airport as an outcome of changes resulting from the terminal upgrade project.</p>
28 October 2013	152648 [VT22]	11.3	<p>KARRATHA CITY CENTRE ROAD NAMING</p> <p>That Council by SIMPLE Majority pursuant to Section 3.18 of the Local Government Act 1995 RESOLVES to:</p> <p>1. SUPPORT the Road names as considered by the Karratha City Centre Road Naming Workshop to now be submitted and considered formally by the Geographic Names Committee and the Minister if required as appropriate as follows:</p> <p>a) Bassett Road to become Welcome Road;</p> <p>b) Part Welcome Road (east) to become Hillview Road;</p> <p>c) Macroy Street to become Mallina Street;</p>

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			<p>d) Part Sherlock Crescent to become Sherlock Street; e) Crane Circle to become Crane Street (Subject to future works); f) Road 1 to become Karratha Terrace incorporating: – Part Sherlock Crescent; and – Part Frinderstein Way g) Road 2 to become Nickol Bay Road incorporating: – Part Balmoral Road (from Dampier Highway to City Centre); – Part Searipple Road (from Mystery Road to City Centre); and – Mystery Road h) Road 3 to become Macroy Street; i) Road 4 to become Owen Road (Subject to future works); j) Road 5 to become Bassett Crescent (Subject to future works); k) Road 7 to become Barlow Lane; This is the lane between the Hotel Site Lot 7078 and Best Western Lot 7042 l) Karratha Road to become DeWitt Road. 2. SUPPORT writing to the Geographic Names Committee Board and the Minister for Lands to advocate for Nickol Bay Road in recognition that it has already met some resistance at officer level at Geographic Names Committee. 3. SUPPORT a suitable alternative road name of Bayview Road or other names recognising the proximity of Nickol Bay or a seaside theme in the event that the first preference of Nickol Bay Road meets future resistance from the Geographic Names Committee and resistance from the Minister for Lands. 4. SUPPORT development of a Community Engagement Strategy for those likely to be impacted from the changes at an appropriate time. 5. DELEGATE to the CEO the authority to pursue any required or outstanding lands administration matters such as road dedications, road closures or other such actions as maybe required including returning discontinued Road names to a pool of approved names to be utilised in the future.</p>
28 October 2013	152652 [MG23]	12.1	<p>KARRATHA FLYING SERVICES – REQUEST TO SUBLEASE LOT LA.08 KARRATHA AIRPORT That Council by ABSOLUTE Majority pursuant to Section 3.58 of the Local Government Act 1995, Disposing of Property, RESOLVES to: 1. APPROVE the request by Karratha Flying Services to pursue a sublease for lot LA.08 at Karratha Airport, in accordance with Clause 8 of the Lease agreement between the City of Karratha and the Karratha Flying Services. 2. DELEGATE authority to the CEO to approve any proposed sublease that is consistent with Clause 8 of the Lease with Karratha Flying Services.</p>
28 October 2013	152653 [RM24]	12.2	<p>KARRATHA 7 MILE LANDFILL FACILITY REDEVELOPMENT That Council by ABSOLUTE Majority pursuant to Section 6.8 and Section 5.42 of the Local Government Act 1995 RESOLVES to DELEGATE authority to the CEO to appoint tenderers for the approved 7 Mile Landfill Redevelopment works, up to an amount of \$500,000 per tender, provided each tender is within the overall project budget allocation.</p>

Date	Resolution	Item	Delegation
18 November 2013	152684 [VT25]	11.5	<p>1. That Council by SIMPLE Majority pursuant to Section 3.18 of the Local Government Act 1995 RESOLVES to:</p> <p>a) ACCEPT the option of a reserve creation for access purposes over existing Hearson Cove Road alignment on the basis that future construction in the dedicated road reserve will be at the cost of the future developer of Site F.</p> <p>b) SEEK the Department of Lands approval for creation of a reserve for access purposes over necessary land parcels to formalise the current constructed alignment of Hearson Cove Road.</p> <p>c) CONSULT with stakeholders advising them that the Department of Lands preference is for a creation of a reserve for access purposes as opposed to an easement or licence. If there is agreement from stakeholders then pursue this creation of reserve option, if there is any disagreement then suggest that the Department of Lands then support the easement or licence options as they are legitimate options available under the Land Administration Act 1997.</p> <p>d) ADVISE Landcorp and Department of State Development and Department of Lands that future removal of the reserve, easement or licence and any future hard surfaces on the land at Lot 537 (Site F) shall be at the cost of the developer at the time of, and in connection with construction of the alternative road in the dedicated road reserve by the developer, including intersection upgrade works.</p> <p>e) NOTE that Burrup industry stakeholders and the Department of Parks and Wildlife will be consulted prior to road construction regarding opportunities for cost sharing to deliver road/ tourism infrastructure.</p> <p>2. That Council by ABSOLUTE Majority pursuant to Section 5.42 of the Local Government Act 1995 RESOLVES to DELEGATE to the CEO the power to undertake all necessary actions to create a reserve, easement or licence for the existing alignment of Hearson Cove Road.</p>
18 November 2013	152689 [MG26]	12.3	<p>That Council by ABSOLUTE Majority pursuant to Section 3.58 and 6.12 of the Local Government Act, 1995 RESOLVES to:</p> <p>1. APPROVE the offering of Leases to Rental Car companies for areas of the airport identified in the attachment and including part area of Lot 16 (after it is relinquished by Air BP) noting that:</p> <p>a) The proposed Lease(s) be limited to a maximum of 2 years in duration and then on a year by year basis; and</p> <p>b) The land portions be offered in their current unimproved state;</p> <p>c) The lease fee be set at a minimum \$30 per square metre.</p> <p>2. ENDORSE establishment of the above proposed Leases to the party or parties, at the negotiated rate or rates, in accordance with Council policies; and</p> <p>3. DELEGATE AUTHORITY to the Chief Executive Officer to execute the Lease(s) documents upon closure of the advertising period subject to no objections being received.</p>

Date	Resolution	Item	Delegation
28 January 2014	152737 [VT27]	10.3	<p>1. That Council by ABSOLUTE Majority pursuant to Section 51 and Section 87 of the Land Administration Act 1997 and Section 3.58 of the Local Government Act 1995 RESOLVES to:</p> <p>a) SUPPORT the request from Wickham Pony Club Inc.;</p> <p>b) INSTRUCT the Chief Executive Officer to request the Department of Lands amalgamate Lot 127 on Deposited Plan 183559, Wickham with land parcel of Lot 179 on Reserve 39140 for the purpose of Equestrian; noting conditions contained within Heritage Survey undertaken with Ngarluma Aboriginal Corporation;</p> <p>c) INSTRUCT the Chief Executive Officer to advertise the proposed lease intentions for a minimum of 2 weeks; and</p> <p>d) DELEGATE the Chief Executive Officer to finalise alterations to Wickham Pony Club Inc. current lease to include Lot 127, Wickham.</p> <p>2. That Council by SIMPLE Majority pursuant to Section 9.49A(2) of the Local Government Act 1995, RESOLVES to AUTHORISE the affixation of the Common Seal of the City of Karratha to the lease of Lot 179 and Lot 127, Wickham to Wickham Pony Club Inc.</p>
28 January 2014	152748 [MG28]	12.4	<p>That Council by ABSOLUTE Majority pursuant to Section 3.58 (2) and Section 5.42 of the Local Government Act 1995 RESOLVES to:</p> <p>1. INSTRUCT the Chief Executive Officer to undertake the required public notice process in order to advertise the intent to dispose of the Chlorinator Building, Fencing & Barb Wire and Filtration System to Water Corporation;</p> <p>2. DELEGATE AUTHORITY to the Chief Executive Officer to organise the transfer of the Chlorinator Building, Fencing & Barb Wire and Filtration System to Water Corporation at the closure of the advertising period, subject to no adverse submissions being received; and</p> <p>3. APPROVE the disposal of the Chlorinator Building, Fencing & Barb Wire and Filtration System which has a book value of \$93,000 and disposal value of nil dollars (\$0).</p>
28 January 2014	152751 [MG29]	12.7	<p>1. That Council by SIMPLE Majority pursuant to Section 3.57 of the Local Government Act 1995 RESOLVES to:</p> <p>a) ENDORSE the scope of works as outlined in this report for the Passenger Screening Authority Service and Equipment Request For Tender</p> <p>b) APPROVE the utilisation of the PRC to call and manage the Passenger Screening Authority Service and Equipment Request for Tender as the Master Contract Holder.</p> <p>c) NOTE that a further report will be presented to Council to consider entering in to a subcontract for the Passenger Screening Authority Service and Equipment;</p> <p>d) NOTE that the funding requirements will be required in the 2014/15 Budget and that the Screening equipment and Service costs are budget neutral and will in due course be recovered from airlines and ultimately the travelling public through screening Fees and Charges once resolved by Council; and</p> <p>e) RECOMMEND the following Selection Criteria be adopted by the PRC as detailed below:</p> <p>Criteria Weighting</p> <p>Previous experience of the Tenderer in the provision of security screening services/ screening equipment, and referee reports 15%</p> <p>Ability to Service Requirements;</p> <p>Ability to provide sufficient resources to perform the duties as specified;</p> <p>Experience of personnel providing services;</p>

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			<p>The availability and commitment of all personnel nominated as key personnel for the Contract. 25%</p> <p>Local preference 5%</p> <p>Price 55%</p> <p>2. That Council by ABSOLUTE Majority pursuant to Section 5.42 of the Local Government Act 1995 RESOLVES to DELEGATE Authority to the CEO to finalise the scope of works and selection criteria with the Pilbara Regional Council for the Passenger Screening Authority Service and Equipment Request for Tender.</p>
17 February 2014	152763 [MG30]	10.1	<p>1. That Council by SIMPLE Majority pursuant to Section 3.18 of the Local Government Act 1995 RESOLVES to:</p> <p>a) ADOPT the Roebourne Skatespace concept design as presented in Attachment 2;</p> <p>b) INSTRUCT the Chief Executive Officer to enter into a Memorandum of Understanding with the Luke Adams Foundation based on the following terms;</p> <p>i. The Luke Adams Foundation will design, construct and project manage the delivery of a community kitchen space with Roebourne.</p> <p>ii. The allocation of sponsorship funds will not exceed \$165,000.00 as per the 2013/14 budget allocation with payments being made at agreed milestones.</p> <p>iii. The Luke Adams Foundation must complete the project with in the 2013/14 year and acquit the fund appropriately.</p> <p>c) NOTE the community kitchen design provided by the Luke Adams Foundation.</p> <p>2. That Council by SIMPLE Majority pursuant to Section 11 (2)(b) of the Local Government Act 1995 RESOLVES to:</p> <p>a) INSTRUCT the Chief Executive Officer to approach WALGA preferred suppliers of landscape infrastructure for the construction of the Roebourne Skatespace via a formal quotation process;</p> <p>3. That Council by ABSOLUTE Majority pursuant to Section 5.42 of the Local Government Act 1995 RESOLVES to:</p> <p>a) DELEGATE authority to the Chief Executive Officer to award the construction of the Roebourne Skatespace following a formal quotation process providing the following terms are achieved:</p> <p>i. The allocated budget of \$600,000.00 is not exceeded.</p> <p>ii. The preferred supplier is deemed advantageous after addressing the following selection criteria when addressing the specified scope of works:</p> <p>Selection Criteria Weighting</p> <p>Demonstrated Understanding 10%</p> <p>Relevant Experience 20%</p> <p>Timeline 25%</p> <p>Price 45%</p>
17 February 2014	152774 [MG31]	17.1	<p>1. That Council by SIMPLE Majority pursuant to Section 3.58 of the Local Government Act 1995 RESOLVES to:</p> <p>a) AUTHORISE the Chief Executive Officer to negotiate with the Qantas and Virgin Airlines exclusively to lease partial terminal space for individual airline lounges including all lease conditions and costs; and</p> <p>b) APPROVE the negotiation of leases with Qantas and Virgin Airlines at a rate that is not lower than the amount that is specified in the Karratha Airport Terminal Business Case;</p>

Date	Resolution	Item	Delegation
			<p>2. Subject to the outcome above, Council by ABSOLUTE Majority pursuant to Section 3.58(3) of the Local Government Act 1995 DELEGATES authority to the Chief Executive Officer to finalise lease negotiations with Qantas and Virgin Airlines, publicly advertise the proposed leases, seek public submissions and subject to no submissions being received, authorise the execution of lease agreements; or</p> <p>3. Should submissions be received, these will be reported back to Council for consideration.</p>
17 March 2014	152796 [RM32]	12.8	<p>That Council by ABSOLUTE Majority pursuant to Section 3.58 and 5.42 of the Local Government Act 1995 RESOLVES to:</p> <p>1. APPROVE the disposal of the following plant:</p> <p>a) P818 MacDonald Johnston Road Sweeper;</p> <p>b) P897 Mack Prime Mover;</p> <p>c) P8006 Tennant Footpath Sweeper; and</p> <p>2. APPROVE the delegation of authority to the Chief Executive Officer to accept or decline offers.</p>
17 March 2014	152796 [RM33]	12.9	<p>That Council by ABSOLUTE Majority pursuant to Sections 3.58 and 5.42 of the Local Government Act 1995 RESOLVES to:</p> <p>1. APPROVE the disposal of P8002 Bomag refuse compactor;</p> <p>2. APPROVE the delegation of authority to the Chief Executive Officer to accept or decline offers for the disposal of P8002; and</p> <p>3. APPROVE the purchase of the new refuse compactor and allocate funds in the 2014/15 Budget for the estimated cost of \$1,000,000 funded from the Waste Reserve as identified in the 10 year Plant Replacement Program.</p>
29 April 2014	152818 [VT34]	12.2	<p>That Council by ABSOLUTE Majority pursuant to Section 3.58 of the Local Government Act, 1995 RESOLVES to:</p> <p>1. PROVIDE public notice of the proposed lease, seek public submissions and subject to no significant submission being received, authorise the execution of the lease, noting:</p> <p>a) The proposed Lease be limited to a maximum of ten (10) years with the option of two concurrent five year terms by mutual agreement;</p> <p>b) The land portion be offered in its current state; and</p> <p>c) Telstra will make all improvements, connections and provide the infrastructure required at their own cost.</p> <p>2. DELEGATE AUTHORITY to the Chief Executive Officer to finalise lease negotiations with Telstra subject to no submissions of significance being received.</p>
19 May 2014	152836 [MG35]	9.3	<p>That Council by SIMPLE Majority pursuant to Section 3.58 of the Local Government Act 1995 RESOLVES to:</p> <p>1. ADVERTISE its intention to lease part of the premises known as the "Roebourne Council Offices" in Roe Street, Roebourne to Ngarliyarndu Bindirri Aboriginal Corporation on the basis of:</p> <p>a) The INITIAL TERM being for a period up to 2 years with three 1 year options each at the sole discretion of the Council;</p> <p>b) The RENTAL being at a reasonable commercial market value rental to be negotiated between NBAC and the City of Karratha;</p> <p>c) The AREA of lease continues to be limited to Rooms 1, 2, 3 and 4 with common use access to Kitchen and Toilet facilities;</p> <p>d) COSTS continue to be borne for Cleaning and Utility charges for power and water to be split 67% NBAC and 33% Council; and</p> <p>e) COSTS to refurbish leased area to be fully borne by the NBAC with any structural changes requiring Council approval and upon expiration of the lease, NBAC remove any structural changes and return to the original condition.</p>

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			2. DELEGATE authority to the Chief Executive Officer to finalise the new lease agreement in the absence of any substantive public submissions.
19 May 2014	152845 [MG36]	12.1	<p>1. That Council by SIMPLE Majority pursuant to Section 3.57 of the Local Government Act 1995 RESOLVES to APPOINT Peter Hunt Architect ABN 67 297 805 649 as the preferred tenderer for the Karratha Cultural Precinct Project Architect based on the assessment of the compliance criteria, qualitative criteria and pricing structures offered under RFT 34-13/14 Karratha Cultural Precinct Project Architect.</p> <p>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 negotiate the contract terms and preferred sub-consultants to within \$55,000 of the tendered sum of \$1,255,190.55 (excluding GST).</p>
16 June 2014	152875 [MG37]	11.4	<p>1. That Council by SIMPLE Majority pursuant to Section 3.18 of the Local Government Act 1995 and Land Administration Act 1997 RESOLVES to:</p> <p>a) REQUEST the Department of Lands, further to Council Resolution 152714 (16 December 2013 Ordinary Council Meeting) and pursuant to Section 51 of the Land Administration Act 1997, amend the boundaries of Reserve 40196 to include portions of closed road (ex-Sharpe Avenue) adjacent to Lot 2608 (Karratha Village Shopping Centre); and</p> <p>b) REQUEST the Department of Lands grant a power to lease for a period of 21 years be included within the amended management orders of amended Reserve 40196 to enable any future sublease of the amended reserve;</p> <p>2. That Council by ABSOLUTE Majority pursuant to Section 5.17 of the Local Government Act 1995 RESOLVES to DELEGATE to the CEO all powers necessary to continue in finalising any necessary land matters.</p>
16 June 2014	152882 [VT38]	12.5	<p>1. That Council by SIMPLE Majority pursuant to Section 3.57 of the <i>Local Government Act 1995</i> RESOLVES to NOMINATE LS Travel Retail Pacific ABN 90 003 940 350 as the preferred tenderer for a total contract value minimum of \$2,292,000 over a seven (7) year term, based on the assessment of the compliance criteria, qualitative criteria and pricing structures offered under RFT 42-13/14 - Karratha Airport Upgrade - Lease Of Concession Spaces.</p> <p>2. That Council by ABSOLUTE Majority pursuant to 5.42 of the Local Government Act 1995 DELEGATES authority to the Chief Executive Officer to finalise lease negotiations with LS Travel Retail Pacific.</p>
16 June 2014	152884 [VT39]	12.7	<p>That Council by SIMPLE Majority pursuant to Section 3.18 and Section 3.58 of the <i>Local Government Act 1995</i> RESOLVES to:</p> <p>a) SEEK quotations and appoint a commercial real estate agency to then offer to the market the space on the upper floor of the redeveloped airport terminal for aviation related business commercial offices; and</p> <p>b) AUTHORISE the Chief Executive Officer to negotiate with prospective commercial tenants to lease partial terminal space for aviation related business commercial offices including all lease conditions and costs and at a rate that is not lower than the amount that is specified in the Karratha Airport Terminal Business Case.</p> <p>2. Subject to the outcome above, Council by ABSOLUTE Majority pursuant to Section 3.58(3) of the <i>Local Government Act 1995</i> DELEGATES authority to the Chief Executive Officer to finalise lease negotiations with aviation related business commercial tenants, publicly advertise the proposed lease(s), seek public submissions and subject to no submissions being received, authorise the execution of lease agreements.</p>
16 June 2014	152888 [MG40]	17.1	<p>1. That Council by SIMPLE Majority pursuant to Section 3.58 of the <i>Local Government Act 1995</i> RESOLVES to AGREE In Principle to lease land at Karratha Airport known as Lot 27, 27a and part Lot 1 to Bristow Helicopters Australia Pty Ltd for a period</p>

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			<p>of 21 years at a rate that is not lower than the amount that is specified in the Karratha Airport Terminal Business Plan and in accordance with the March 2014 Valuation attachment.</p> <p>2. That Council by ABSOLUTE Majority pursuant to Section 5.42 of the Local Government Act 1995 DELEGATE authority to the Chief Executive Officer to finalise lease negotiations with Bristow Helicopters Australia Pty Ltd, publicly advertise the proposed leases, seek public submissions and subject to no submissions being received, authorise the execution of lease agreements.</p>
16 June 2014	152889 [MG41]	17.2	<p>1. That Council by SIMPLE Majority pursuant to Section 3.58 of the Local Government Act 1995 RESOLVES to AGREE in PRINCIPLE to lease part of lot LA.06, land and building, at Karratha Airport to Wheeler Nominees at a rate that is not lower than the amount that is specified in the Karratha Airport Terminal Business Plan and in accordance with a current Valuation.</p> <p>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 finalise lease negotiations with Wheeler Nominees, publicly advertise the proposed leases, seek public submissions and subject to no submissions being received, authorise the execution of lease agreements.</p>
21 July 2014	152903 [VT42]	11.2	<p>1. That Council by SIMPLE Majority in pursuance of Section 3.18 of the Local Government Act 1995 RESOLVES to ADOPT revised Terms of Reference for the Karratha City Centre Infrastructure Works Place Team (revised 21 July 2014).</p> <p>2. That Council by ABSOLUTE Majority in pursuance of Section 5.42 of the Local Government Act 1995 RESOLVES to DELEGATE to the CEO decision making in accordance with the revised Terms of Reference for the Karratha City Centre Infrastructure Works Place Team (revised 21 July 2014).</p>
18 August 2014	152923 [RM43]	10.1	<p>That Council by ABSOLUTE Majority pursuant to Section 3.57 of the Local Government Act 1995 RESOLVES to:</p> <p>1. NOMINATE Children's Support Services Unit (CSSU) Inc. as the preferred operator of the Dampier Child Care Facility under RFT 45-13/14.</p> <p>2. DELEGATE to the Chief Executive Officer the ability to negotiate the financial implications of the contract and all other details required to finalise the lease agreement.</p>
18 August 2014	152930 [MG44]	12.2	<p>That Council by SIMPLE Majority pursuant to Section 5.42 and Section 9.49A of the Local Government Act 1995 RESOLVES to:</p> <p>1. AUTHORISE the affixation of the Common Seal of the City of Karratha to the funding agreements for:</p> <p>a) Karratha Back Beach Groyne Remediation Project;</p> <p>b) Dampier Turning & Rigging Area Upgrade Project; and</p> <p>c) Karratha Back Beach Dredging & Ramp Upgrade Study.</p> <p>2. DELEGATE authority to the Chief Executive Officer to award a contract for the Karratha Back Beach Groyne Remediation Project providing the preferred tendered contract sum is within Council's 2014/15 Budget allocation.</p>
18 August 2014	152932 [MG45]	12.4	<p>1. That Council by SIMPLE Majority pursuant to Section 3.57 of the Local Government Act 1995 RESOLVES to:</p> <p>a) RECEIVE the Concept Design Report prepared by Hyder Consulting Pty Ltd;</p> <p>b) AGREE to execute Stage 2 of the Effluent Reuse Scheme Concept & Design Consultancy Brief with Hyder Consulting Pty Ltd for the value of \$259,660; and</p> <p>c) NOTE the proposed preliminary project budget cost to deliver spine main and priority 1 works is \$14.3 million.</p> <p>2. That Council by ABSOLUTE Majority pursuant to Section 5.42 of the Local Government Act 1995 RESOLVES to:</p>

Date	Resolution	Item	Delegation
			<p>a) DELEGATE authority to the Chief Executive Officer to negotiate and execute funding agreement with Water Corporation for up to \$7.5 million as contribution to the effluent reuse spine main;</p> <p>b) DELEGATE authority to the Chief Executive Officer to negotiate and execute agreement with LandCorp to contribute to construction of spine main to Baynton West and distribution of ERS to Baynton West public open space 2 & 3; and</p> <p>c) APPROVE a budget amendment that results in the transfer of \$73,124 in funds from the current Infrastructure Reserve to the Upgrade Effluent Systems account as follows: SEE MINUTES FOR BUDGET AMENDMENT TABLE</p>
18 August 2014	152937 [MG46]	17.2	<p>1. That Council by SIMPLE Majority pursuant to Section 3.58 of the Local Government Act 1995 RESOLVES to AGREE in PRINCIPLE to lease lot 7 at Karratha Airport to Karratha Flying Services for a term up to 31 December 2024 and at a rate that is not lower than \$21 per square metre.</p> <p>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 finalise lease negotiations with Karratha Flying Services, publicly advertise the proposed leases, seek public submissions and subject to no detrimental or adverse submissions being received, authorise the execution of lease agreements.</p>
15 September 2014	152948 [MG47]	11.3	<p>That Council by SIMPLE Majority pursuant to Section 2.7 of the <i>Local Government Act 1995</i> and Clause 5.1.4 of Town Planning Scheme No.8 RESOLVES to:</p> <p>a) DETERMINE the submissions received in respect of the draft revised Local Planning Policy DP10 Transient Workforce Accommodation and draft Local Planning Policy DP20 Social Impact Assessment in accordance with the Schedule of Submissions at Attachment 3;</p> <p>b) MODIFY draft revised Local Planning Policy DP10 Transient Workforce Accommodation and draft Local Planning Policy DP20 Social Impact Assessment in accordance with the track changes versions of each policy at Attachment 5 and Attachment 6 respectively;</p> <p>c) DETERMINE that the modifications to draft revised Local Planning Policy DP10 Transient Workforce Accommodation are substantial in nature and require readvertising;</p> <p>d) DETERMINE that the modifications to draft Local Planning Policy DP20 Social Impact Assessment are minor in nature and do not require readvertising;</p> <p>e) ADOPT draft revised Local Planning Policy DP10 Transient Workforce Accommodation for public advertising;</p> <p>f) ADOPT draft revised Local Planning Policy DP20 Social Impact Assessment for final approval;</p>

Date	Resolution	Item	Delegation
			<p>g) WITHDRAW the interim draft TWA policy adopted by Council for public advertising at its May 2013 Ordinary Council Meeting noting that this interim draft is superseded by the draft revised Local Planning Policy DP10 Transient Workforce Accommodation;</p> <p>h) READVERTISE draft revised Local Planning Policy DP10 Transient Workforce Accommodation in accordance with the provisions set out in Town Planning Scheme No.8.; and</p> <p>i) ADVERTISE the final version of Local Planning Policy DP20 Social Impact Assessment in accordance with the provisions set out in Town Planning Scheme No.8.</p> <p>2. That Council by ABSOLUTE majority pursuant to Section 5.42 of the <i>Local Government Act 1995</i> RESOLVES to DELEGATE to the CEO necessary powers to make any minor revisions prior to readvertising the revised draft TWA policy and finalising the revised draft SIA policy;</p> <p>3. That Council by SIMPLE Majority pursuant to Section 3.18 of the <i>Local Government Act 1995</i> RESOLVES to REFER copy of Schedule of Submissions to all submitters; and</p> <p>4. That Council by SIMPLE Majority pursuant to Section 3.18 of the <i>Local Government Act 1995</i> RESOLVES to COMMENCE investigations towards preparing a Scheme amendment to include base-level supply transient workforce accommodation in the Transient Workforce Accommodation zone.</p>
24 September 2014	152961 [MG48]	6.1	<p>That Council by ABSOLUTE Majority pursuant to Division 6 of the <i>Local Government Act 1995</i> RESOLVES to:</p> <p>1. REDUCE the interest rate for payment of service charges by instalments from 5.5% to 4.5%;</p> <p>2. NOTE that adjustments to instalment interest will be included in instalment notices issued after 25 November 2014;</p> <p>3. OFFER non-residential properties (excluding those owned by Government organisations) with a power capacity of greater than 10 kVA and less than 200 kVA the option of payment by 40 instalments over ten years rather than 16 instalments over four years (subject to the same conditions that apply to other instalment options);</p> <p>4. GRANT a 70% concession for service charges applied to not-for-profit community organisations subject to the following:</p> <p>a) The organisation is a not-for-profit community association or public benevolent institution (PBI).</p> <p>b) The concession applies to non-residential properties only.</p> <p>c) The concession does not apply to schools.</p> <p>d) The concession does not apply to properties that are being used to generate a commercial rate of return (e.g. properties leased to a third party for market rental).</p>

Date	Resolution	Item	Delegation
			<p>5. PROVIDE the CEO the delegated authority to negotiate individual payment plans for those companies and individuals who demonstrate that the payment of the Pilbara Underground Power Project service charge is placing them in financial hardship. Individual payments plans may involve:</p> <p>a) Providing additional time for the payments to be made;</p> <p>b) Varying the payment schedules to cater for individual financial circumstances (ie allowing smaller/larger instalment payments throughout the payment period); and /or</p> <p>c) Allowing payments to be made on a less (or more) frequent basis than prescribed in the standard instalment payment plan.</p>
20 October 2014	152975 [RM49]	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 [MG50]	11.3	<p>1. That Council by SIMPLE Majority in pursuance of Section 3.18 of the Local Government Act 1995 RESOLVES to:</p> <p>a) DETERMINE submissions in accordance with the attached Schedule of Submissions;</p> <p>b) MODIFY the publicly advertised draft Roebourne Structure Plan in accordance with modifications recommended in the attached Schedule of Submissions;</p> <p>c) ADOPT the Roebourne Structure Plan modified in accordance with Point 2 above for final approval;</p> <p>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</p> <p>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.</p> <p>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.</p>
15 December 2014	153019 [MG51]	11.2	<p>1. That Council by SIMPLE Majority pursuant to Clause 5.1.4 of Town Planning Scheme No.8 RESOLVES to:</p> <p>a) RESPOND to submissions in accordance with the attached Schedule of Submissions;</p> <p>b) ADOPT modified Local Planning Policy DP10 Transient Workforce Accommodation in accordance with the track changes versions of the policy at Attachment 3 for final approval; and</p> <p>c) FORWARD a copy of the adopted City of Karratha Transient Workforce Accommodation Policy to the Western Australian Planning Commission for its information.</p>

Date	Resolution	Item	Delegation
			2. That Council by ABSOLUTE Majority pursuant to Section 5.42 of the Local Government Act 1995 RESOLVES to DELEGATE to the Chief Executive Officer authority to make any minor revisions in finalising the policy, including any revisions subsequent to further discussion with Rio Tinto regarding the terms under which contributions are stated.
15 December 2014	153022 [RM52]	12.1	<p>1. That Council by SIMPLE Majority pursuant to Section 3.58 of the Local Government Act 1995 RESOLVES to APPROVE the disposal of the following assets via public auction or tender:</p> <ul style="list-style-type: none"> a) Mettler Toledo JagX/7560 18m x 3.5m weighbridge (Including data cabling) b) Transportable Weighbridge Office c) Transportable Crib room <p>2. The Council by ABSOLUTE Majority pursuant to Section 5.42 of the Local Government Act 1995 RESOLVES to APPROVE the delegation of authority to the Chief Executive Officer to accept or decline offers.</p>
15 December 2014	153027 [VT53]	17.2	<p>1. That Council by SIMPLE Majority pursuant to Section 3.57 of the Local Government Act 1995 and Regulation 18 of the Local Government (Functions and General) Regulations 1996 RESOLVES to:</p> <ul style="list-style-type: none"> a) NOTE the outcomes of the negotiation process contained in the confidential evaluation report; b) ACCEPT the tender from New Energy Corporation (NEC) to provide a Resource Recovery Facility option for the 7 Mile Waste Facility in accordance with their final proposal that includes: <ul style="list-style-type: none"> i. to ENTER into a Waste Supply Agreement for a period of 20 years in accordance with negotiated conditions as outlined in the tender evaluation report; and ii. to LEASE land at the 7 Mile Waste Facility for a period of 20 years at an annual rental of \$120,000 per annum, to enable the development of the resource recovery facility in accordance with those negotiated conditions as outlined in the tender evaluation report. c) COMMENCE the process to review waste services operations and the waste reserve funded services in response to the award of the contract to New Energy Corporation (NEC) and the proposed changes to operations reflected in the Service Agreement and associated financial implications. <p>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 finalise the Service Agreement and Lease Agreement with New Energy Corporation (NEC).</p>
27 January 2015	153036 [VT54]	10.3	<p>That Council by ABSOLUTE Majority pursuant to Section 3.18 of the Local Government Act 1995 and Regulation 11(2)(f) of the Local Government (Functions and General) Regulations 1996 RESOLVES to:</p> <ul style="list-style-type: none"> 1. AGREE pursuant to Regulation 11(2)(f) of the Local Government (Functions and General) Regulations 1996 to enter into a memorandum of understanding with the Police and Citizens Youth Club for the Management of the Roebourne Community Hall due to the unique nature of the services to be supplied that they are the sole supplier of the service. 2. DELEGATE AUTHORITY to the Chief Executive Officer to finalise operational details of the memorandum of understanding with the Police and Citizens Youth Club.
27 January 2015	153040 [MG55]	11.1	<p>1. That Council by SIMPLE Majority pursuant to Clause 5.1.4 of Town Planning Scheme No.8 RESOLVES to:</p> <ul style="list-style-type: none"> a) ADOPT Draft Local Planning Policy DP23 – Use of Karratha City Centre Reserved Land as presented in Attachment 1 of this item.

Date	Resolution	Item	Delegation
			<p>b) ADVERTISE Draft Local Planning Policy DP23 – Use of Karratha City Centre Reserved Land in accordance with Clause 5.1.4 a) of Town Planning Scheme No.8.</p> <p>2. That Council by ABSOLUTE Majority pursuant to Section 5.42 of the Local Government Act 1995 RESOLVES to DELEGATE authority to the CEO to make any minor changes that may be applicable to Draft DP23 prior to public advertising.</p>
27 January 2015	153048 [MG56]	12.3	<p>1. That Council by SIMPLE Majority pursuant to Sections 3.18 and 3.57 of the Local Government Act 1995 RESOLVES to NOMINATE Pindan Contracting Pty Ltd ABN 51 120 076 360 as the preferred tenderer for a contract value of \$13,303,812.35 based on the assessment of the compliance criteria, qualitative criteria and pricing structures offered under RFT 11 – 14/15 Construction of the Dampier Community Hub.</p> <p>2. Subject to confirmation from Rio Tinto to an Operating Funding Agreement, Council by ABSOLUTE Majority pursuant to Sections 5.42 of the Local Government Act 1995 DELEGATES AUTHORITY to the Chief Executive Officer to execute contracts with Pindan Contracting Pty Ltd for the construction of the Dampier Community Hub and the next stage of the contracts for the appointed architects Gresley Abas Architects and cost manager Donald Cant Watts Corke.</p> <p>3. That Council by ABSOLUTE Majority pursuant to Section 6.8 of the Local Government Act 1995 RESOLVES to APPROVE a budget amendment that results in a nil impact on the 2014/2015 operating surplus/deficit as follows: (REFER TABLE IN MINUTES)</p>
27 January 2015	153052 [RM57]	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 [RM58]	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 [MG59]	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>

Date	Resolution	Item	Delegation
			<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 [MG60]	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>
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> <p>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.</p> <p>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.</p> <p>3. CONSULT with the landowners of Hedland Place, Karratha about their preferred option to manage parking for their properties.</p> <p>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.</p>
16 March 2015	153091	11.6	<p>That Council by:</p> <p>1. SIMPLE Majority pursuant to Regulation 12A of the Town Planning Regulations 1967 RESOLVES to:</p> <p>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.</p> <p>b) FORWARD the draft Local Planning Strategy (including any minor modifications) to the Western Australian Planning Commission for consideration and consent to advertise.</p> <p>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.</p>
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> <p>1. APPROVE the disposal of P8000 Volvo L70 Loader by way of Public Auction;</p>

Date	Resolution	Item	Delegation
			<p>2. APPROVE the disposal of P8811 Caterpillar Articulated Dump Truck by way of Public Auction;</p> <p>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.</p> <p>4. That Council NOTES that the CEO will accept or reject Tenders or Auction outcomes under existing Delegated Authority provisions.</p>
18 May 2015	153137	10.3	<p>1. That Council by SIMPLE Majority pursuant to Section 3.57 and 3.58 of the Local Government Act 1995 RESOLVES to:</p> <p>a) ACKNOWLEDGE the Dampier Community Association's formal withdrawal from negotiations with the City for the management of the Dampier Community Hub.</p> <p>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.</p> <p>c) APPOINT the Dampier Community Association as the preferred proponent; and</p> <p>i. NEGOTIATE the terms of the lease agreement under the following conditions for areas within the Dampier Community Hub; (REFER TABLE IN MINUTES) and</p> <p>ii. AUTHORISE the Mayor and the CEO to execute the Lease Agreement under common seal.</p> <p>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:</p> <p>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)</p>
18 May 2015	153158	17.1	<p>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.</p>