Register of Delegated Authority & Authorisations 2026/2027

SHIRE OF ESPERANCE USE ONLY

This document is uncontrolled once printed.

Reviewed: October 2026

D26/10357[v2]

Introduction

The Delegations and Authorisations contained in this Register are generally made by Council to the Chief Executive Officer (CEO) pursuant to section 5.42 of the *Local Government Act 1995* (the Act).

Some functions are then sub-delegated by the CEO to Shire of Esperance Officers pursuant to section 5.44 of the Act.

In some cases, authority is directly delegated to Officers by Council.

Some legislation provides the CEO the power to delegate certain duties to Officers without Council endorsement.

All delegations made by Council must be by absolute majority decision.

Limitations

Decisions that cannot be delegated to the Chief Executive Officer are provided in s.5.43 of the Act and r.18G of the *Local Government (Administration) Regulations 1996*.

This Register does not automatically give the Officer holding an authorised position delegated authority. Powers are conferred to Officers by the CEO through the issuance of a Notification of Delegation or Certificate of Appointment, and are renewed annually following the review of the Register.

There are four colours used throughout this Register to highlight different statutory requirements. Their meanings are listed below.

	Council has delegated authority to the CEO to appoint Officers.
	Authority has been delegated to the CEO by Council and the CEO may sub-delegate these functions to Officers.
	Authority has been directly delegated by Council to Officers, and cannot be sub-delegated.
	Authority to delegate functions has been given to the CEO by the relevant Legislation. These do not require Council endorsement.

Record Keeping

A person exercising a delegated power or duty is required to keep a written record in accordance with r.19 of the *Local Government (Administration) Regulations 1996*.

This includes how and when the person exercised the power or discharged the duty, and the persons 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.

CONTENTS

Delegated Authority 7

PART 1 Local Government Act 1995 8

1.1 Expressions of Interest, Tenders and Pre-qualified Suppliers (s.3.57) 8

1.2 Agreement as to payment of rates and service charges (s.6.49) 10

1.3 Powers of entry (s.3.31, s.3.32, s.3.33, s.3.34 & s.3.36) 11

1.4 Certain provisions about land (s.3.25, s.3.26 & s.3.27) 13

1.5 Commencing Prosecutions (s. 9.24) 15

1.6 Closing certain thoroughfares to vehicles (s.3.50) 16

1.7 Declaring a vehicle as an abandoned vehicle wreck (s.3.40A) 17

1.8 Disposing of confiscated or uncollected goods (s.3.47) 18

1.9 Disposing of property (s.3.58) 19

1.10 Investment of funds (s.6.14) 21

1.11 Local government may require lessee to pay rent (s.6.60) 22

1.12 Objection to the rate record (s.6.76) 23

1.13 Partial closure of thoroughfare for repairs and maintenance (s.3.50A) 24

1.14 Power to remove, impound goods and recover expenses (s.3.39 & s.3.48) 25

1.15 Power to waive or write off debts (s.6.12) 26

1.16 Rates or service charges recoverable in court (s.6.56) 27

1.17 Disposal of sick or injured animals (s.3.47A) 28

1.18 Dog Local Law 2024 29

1.19 Fencing Local Law 2018 30

1.20 Extractive Industries Local Law 2024 31

1.21 Local Government Property Local Law 2001 32

1.22 Private Property Local Law 2003 34

1.23 Activities in Thoroughfares and Public Places and Trading Local Law 2025 35

1.24 Cemeteries Local Law 2024 37

1.25 Waste Local Law 2025 39

1.26 Parking & Parking Facilities Local Law 2025 40

1.27 Bush Fire Brigades Local Law 2025 41

1.28 Infringement Extension of Time (s.9.19) 42

PART 2 Building Act 2011 43

2.1 Appointment of Authorised Persons (s.96 & s.99) 43

2.2 Powers pursuant to the Building Act 2011 45

PART 3 Public Health Act 2016 47

3.1 Appointment of Environmental Health Officer (s.17) 47

3.2 Designation of Authorised Officers (s.24) 48

PART 4 Planning and Development Act 2005 50

	4.1	General Administration Powers	50
PART 5		Bush Fires Act 1954	55
	5.1	Appointment of Bush Fire Control Officers & Fire Weather Officers (s.38)	55
	5.2	Fire break maintenance (s.33)	57
	5.3	Offences and infringements (s.59 & s.59A)	59
	5.4	Withdrawal of infringements (s.59A)	60
	5.5	Varying prohibited burning times (s.17)	61
PART 6		Food Act 2008	62
	6.1	Appoint Authorised Officers (s.122 & s.126)	62
	6.2	Prohibition orders (s.65, s.66 & s.67)	64
	6.3	Registration of food business (s.110 & s.112)	66
	6.4	Prosecutions (s.125)	68
PART 7		Dog Act 1976	69
	7.1	Appoint Registration Officers (s.3)	69
	7.2	Keeping of dogs (number of) (s.26)	70
PART 8		Cat Act 2011	71
	8.1	Cat Registrations	71
	8.2	Cat Control Notices (s.26)	73
	8.3	Recovery of Costs – Destruction of Cats (s.49)	74
	8.4	Prosecutions (s.73)	75
	8.5	Cat Local Law 2024	76
PART 9		Local Government (Miscellaneous Provisions) Act 1960	77
	9.1	Establishing pounds and appointing poundkeepers and Rangers(s.449)	77
PART 10		Local Government (Financial Management) Regulations 1996	79
	10.1	Payment of accounts (r.12)	79
PART 11		Local Government (Uniform Local Provisions) Regulations 1996	80
	11.1	Permission to have gate across public thoroughfare (r.9)	80
	11.2	Private works on, over, or under public places (r.17)	81
	11.3	Requirement to construct or repair crossing (r.13)	82
	11.4	Dangerous excavation in or near public thoroughfare (r.11)	83
	11.5	Obstruction of footpaths and thoroughfares (r.5, r.6, r.7A & r.7)	85
	11.6	Obstruction of public thoroughfare by things placed and left (r.6)	87
PART 12		Health (Asbestos) Regulations 1992	88
	12.1	Appoint Authorised and Approved Officers (r.15D)	88
PART 13		Building Regulations 2012	89
	13.1	Appoint Approved and Authorised Officers (r.70)	89
PART 14		Local Government (Model Code of Conduct) Regulations 2021	91
	14.1	Behaviour Complaints (cl. 14B(5))	91

Authorisations 93
PART 1 Local Government Act 1995 94
1.1 Appointment of Authorised Persons to enter onto land (s.3.31(2)) 94
1.2 Appoint Authorised Persons (s.9.10) 96
PART 2 Building Act 2011 99
2.1 Appointment of Authorised Persons (s.96) 99
PART 3 Public Health Act 2016 101
3.1 Appointment of Environmental Health Officer (s.17) 101
3.2 Designation of Authorised Officers (s.24) 103
PART 4 Planning & Development Act 2005 107
4.1 Issue infringement notices – Planning (s.228) 107
PART 5 Bush Fires Act 1954 108
5.1 Appointment of Bush Fire Control Officers & Fire Weather Officers (s.38) 108
PART 6 Food Act 2008 111
6.1 Appoint Authorised Officers (s.122) 111
6.2 Appoint Designated Officers (s.126) 113
PART 7 Dog Act 1976 114
7.1 Appoint Registration Officers (s.3) 114
7.2 Appoint Authorised Persons (s.3) 116
PART 8 Cat Act 2011 118
8.1 Appoint Authorised Persons (s.3) 118
PART 9 Local Government (Miscellaneous Provisions) Act 1960 120
9.1 Appointing poundkeepers and Rangers(s.449) 120
PART 10 Health (Miscellaneous Provisions) Act 1911 122
10.1 Appointment of Deputies (s.26) 122
PART 11 Health (Asbestos) Regulations 1992 124
11.1 Appoint Authorised Officers (r.15D) 124
PART 12 Building Regulations 2012 125
12.1 Appoint Authorised Officers (r.70) 125
12.2 Appoint Approved Officers (r.70) 127
PART 13 Fines, Penalties and Infringement Notices Enforcement Act 1994 128
13.1 Registration of infringement notice (s.16 & s.22) 128
PART 14 Road Traffic (Administration) Act 2008 129
14.1 Request Information (s.14) 129
PART 15 Local Government (Development Assessment Panels) Regulations 2025 131
15.1 Appoint Authorised Employees 131
PART 16 Caravan Parks & Camping Grounds Act 1995 132
16.1 Appoint Authorised Persons (s.5) 132

PART 17 Cemeteries Act 1986 134
17.1 Appoint Authorised Persons (s.3) 134
PART 18 Control of Vehicles (Off-Road Areas) Act 1978 136
18.1 Appoint Authorised Persons (s.38(3)) 136

DELEGATED AUTHORITY

PART 1 *LOCAL GOVERNMENT ACT 1995*

1.1 Expressions of Interest, Tenders and Pre-qualified Suppliers (s.3.57)	
Function Delegated	Authority to undertake tendering, expressions of interest and prequalified supplier panels.
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power being Delegated	*Local Government Act 1995* s.3.57(1) - Tenders for providing goods or services Local Government (Functions and General) Regulations 1996 Division 2 - Tenders for providing goods or services Division 3 - Panels of pre-qualified suppliers
Power originally assigned to	Local Government
Power to Delegate	*Local Government Act 1995* s.5.42 – Delegation of some powers or duties to the CEO s.5.43 – Limitations on delegations to the CEO
Power Delegated to	Chief Executive Officer
Council Conditions	1. Unique supplier exemption may only be approved where a record is retained that evidences rationale for why the supply is unique and cannot be sourced through other suppliers 2. Tenders may only be called where there is a budget allocation for the proposed goods or services 3. Subject to goods and services included in the Annual Budget, the delegation is limited to - a) Purchases utilising WALGA Preferred Suppliers, not exceeding a value of $250,000 b) Quotes utilising a pre-qualified supplier who is part of a panel of pre-qualified suppliers, not exceeding a value of $250,000 c) Tenders not exceeding a value as per the Regulations excluding schedule of rates Tenders 4. Council consider a minor variation before entering into a contract to be 10% of the contract sum 5. In accordance with Division 3 - Panels of pre-qualified suppliers, applicants may only be appointed to a panel by Council Decision
Power to Sub-Delegate	*Local Government Act 1995* s.5.44 – CEO may delegate powers and duties to other employees
Sub-Delegated to	Director Corporate & Community Services Director Asset Management Director External Services
CEO Conditions	Directors may only act on matters relevant to the responsibilities of their specific directorate.

1.1 Expressions of Interest, Tenders and Pre-qualified Suppliers (s.3.57)

Compliance Links	*Local Government Act 1995* s.5.43 - Limitations on delegations to the CEO *Local Government (Functions and General) Regulations 1996* Part 4 — Provision of goods and services Council Policy Procurement Policy

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Adopted – June 2019, Resolution # O0619-120	5. Reviewed – June 2023, Resolution #O0623-117
2. Amended – May 2020, Resolution #O0520-148	6. Amended – May 2024, Resolution #O0524-059
3. Reviewed – May 2021, Resolution #O0521-147	7. Reviewed – May 2025, Resolution #O0525-089
4. Reviewed – May 2022, Resolution #O0522-112	8. Reviewed – July 2026, Resolution #O0726-094

1.2 Agreement as to payment of rates and service charges (s.6.49)

Function Delegated	Authority to accept payment of a rate or service charge due and payable by a person in accordance with an agreement made with the person.
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power being Delegated	*Local Government Act 1995* s.6.49 – Agreement as to payment of rates and service charges
Power originally assigned to	Local Government
Power to Delegate	*Local Government Act 1995* s.5.42 – Delegation of some powers and duties to the CEO s.5.43 – Limitations on delegations to the CEO
Power Delegated to	Chief Executive Officer
Council Conditions	Nil
Power to Sub-Delegate	*Local Government Act 1995* s.5.44 – CEO may delegate powers and duties to other employees
Sub-Delegated to	Director Corporate & Community Services Manager Financial Services
CEO Conditions	Nil
Compliance Links	Nil

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Adopted - February 2004, Resolution # O0204-0769	9. Amended – June 2019: Resolution # O0619-120
2. Reviewed - February 2011, Resolution # O0211-1575	10 Reviewed – May 2020, Resolution #O0520-148
3. Reviewed - May 2012, Resolution # AP0412-005	11. Reviewed – May 2021, Resolution #O0521-147
4. Reviewed - June 2013, Resolution # O0613-012	12. Reviewed – May 2022, Resolution #O0522-112
5. Reviewed – May 2015, Resolution # O0515-026	13. Reviewed – June 2023, Resolution #O0623-117
6. Reviewed – July 2016, Resolution # O0716-032	14. Reviewed – May 2024, Resolution #O0524-059
7. Reviewed – June 2017, Resolution #O0617-133	15. Reviewed – May 2025, Resolution #O0525-089
8. Reviewed – May 2018, Resolution #O0518-098	16. Reviewed – July 2026, Resolution #O0726-094

1.3 Powers of entry (s.3.31, s.3.32, s.3.33, s.3.34 & s.3.36)	
Function Delegated	Authority to – a) authorise persons to enter onto land, premises or thing, without consent of the owner/occupier, unless the owner/occupier objects. [s.3.31(2)] and; b) give notice of entry [s.3.32] c) seek and execute an entry under warrant. [s.3.33] d) Allow, in an emergency, entry to any land, premises or thing immediately and without notice to perform any Local Government function as considered appropriate to deal with the emergency. [s.3.34(1) & (3)] e) give notice and effect entry by opening a fence. [s.3.36]
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power being Delegated	*Local Government Act 1995* s.3.31(2) – General procedure for entering property s.3.32 - Notice of Entry s.3.33 - Entry under warrant s.3.34 - Entry in emergency s.3.36 - Opening Fences
Power originally assigned to	Local Government
Power to Delegate	*Local Government Act 1995* s.5.42 – Delegation of some powers and duties to the CEO s.5.43 – Limitations on delegations to the CEO
Power Delegated to	Chief Executive Officer
Council Conditions	Delegated authority under s.3.34(1) and (3) may only be used, where there is imminent or substantial risk to public safety or property.
Power to Sub-Delegate	*Local Government Act 1995* s.5.44 – CEO may delegate powers and duties to other employees
Sub-Delegated to	Director Asset Management (b, c, d, e) Director Corporate & Community Services (b, c, d, e) Director External Services (b, c, d, e) Manager Development Services (b, c, d, e) Coordinator Building Services (b, c, d, e) Senior Building Surveyor (b, c, d, e) Cadet Building Surveyor (b, c, d, e) Coordinator Planning Services (b, c, d, e) Planning Officer (b, c, d, e) Coordinator Environmental Health (b, c, d, e) Environmental Health Officer (b, c, d, e) Cadet Environmental Health Officer (b, c, d, e)

1.3 Powers of entry (s.3.31, s.3.32, s.3.33, s.3.34 & s.3.36)	
	Manager Ranger & Emergency Services (b, c, d, e) Coordinator Ranger Services (b, c, d, e) Shire Ranger (b, c, d, e) Bushfire Risk Mitigation Coordinator (b, c, d, e)
CEO Conditions	Nil
Compliance Links	*Local Government Act 1995* Division 3, Subdivision 3 – Powers of entry s.3.34(2) Entry in an emergency

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Adopted - June 2013, Resolution # O0613-012	8. Reviewed – May 2021, Resolution #O0521-147
2. Reviewed – May 2015, Resolution # O0515-026	9. Amended – May 2022, Resolution #O0522-112
3. Reviewed – July 2016, Resolution # O0716-032	10. Reviewed – June 2023, Resolution #O0623-117
4. Reviewed – June 2017, Resolution #O0617-133	11. Reviewed – May 2024, Resolution #O0524-059
5. Reviewed – May 2018, Resolution #O0518-098	12. Amended – May 2025, Resolution #O0525-089
6. Amended – June 2019: Resolution # O0619-120	13. Amended – July 2026, Resolution #O0726-094
7. Amended – May 2020, Resolution #O0520-148	14.

1.4 Certain provisions about land (s.3.25, s.3.26 & s.3.27)		
Function Delegated	Authority to give an owner or occupier of land notice requiring them to do anything as prescribed in Schedule 3.1, Division 1 of the *Local Government Act 1995*. Following a failure to comply with the above notice, authority to take action that is considered necessary to achieve, so far as is practicable, the purpose for which the notice was given. Authority to recover cost of the above action as a debt due from the person who failed to comply. Authority to do any of the things prescribed in Schedule 3.2 to non-local government property, without consent, in the Local Government's capacity to undertake its general functions as outlined in s.3.27.	
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.		
Power being Delegated	*Local Government Act 1995* s.3.25 – Notices requiring certain things to be done by owner or occupier of land s.3.26 – Additional powers when notices given s.3.27 – Particular things local governments can do on land that is not local government property	
Power originally assigned to	Local Government	
Power to Delegate	*Local Government Act 1995* s.3.24 – Authorising persons under this Subdivision (Subdivision 2 — Certain provisions about land) s.5.42 – Delegation of some powers and duties to the CEO s.5.43 – Limitations on delegations to the CEO	
Power Delegated to	Chief Executive Officer	
Council Conditions	Nil	
Power to Sub-Delegate	*Local Government Act 1995* s.5.44 – CEO may delegate powers and duties to other employees	
Sub-Delegated to	Director Asset Management Director External Services Manager Development Services Coordinator Planning Services Planning Officer	Coordinator Environmental Health Environmental Health Officer Coordinator Ranger Services (s.3.25 & s.3.27) Shire Ranger (s.3.25 & s.3.27) Manager Ranger & Emergency Services
CEO Conditions	Nil	
Compliance Links	*Local Government Act 1995* Schedule 3.1 - Powers under notices to owners or occupiers of land	

1.4 Certain provisions about land (s.3.25, s.3.26 & s.3.27)

	Schedule 3.2 - Particular things local governments can do on land even though it is not local government property

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Adopted - June 2013, Resolution # O0613-012	8. Reviewed – May 2021, Resolution #O0521-147
2. Reviewed – May 2015, Resolution # O0515-026	9. Reviewed – May 2022, Resolution #O0522-112
3. Reviewed – July 2016, Resolution # O0716-032	10. Reviewed – June 2023, Resolution #O0623-117
4. Reviewed – June 2017, Resolution #O0617-133	11. Reviewed – May 2024, Resolution #O0524-059
5. Reviewed – May 2018, Resolution #O0518-098	12. Reviewed – May 2025, Resolution #O0525-089
6. Amended – June 2019: Resolution # O0619-120	13. Amended – July 2026, Resolution #O0726-094
7. Reviewed – May 2020, Resolution #O0520-148	14.

1.5 Commencing Prosecutions (s. 9.24)

Function Delegated	Authority to commence a prosecution for an offence against the *Local Government Act 1995*.
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power being Delegated	*Local Government Act 1995* s.9.24 – Commencing Prosecutions
Power originally assigned to	Local Government
Power to Delegate	*Local Government Act 1995* s.5.42 – Delegation of some powers and duties to the CEO s.5.43 – Limitations on delegations to the CEO
Power Delegated to	Chief Executive Officer
Council Conditions	Nil
Power to Sub-Delegate	*Local Government Act 1995* s.5.44 – CEO may delegate powers and duties to other employees
Sub-Delegated to	Director External Services
CEO Conditions	Nil
Compliance Links	Nil

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Adopted - June 2013, Resolution # O0613-012	8. Reviewed – May 2021, Resolution #O0521-147
2. Reviewed – May 2015, Resolution # O0515-026	9. Amended – May 2022, Resolution #O0522-112
3. Reviewed – July 2016, Resolution # O0716-032	10. Amended – June 2023, Resolution #O0623-117
4. Reviewed – June 2017, Resolution #O0617-133	11. Reviewed – May 2024, Resolution #O0524-059
5. Reviewed – May 2018, Resolution #O0518-098	12. Amended – May 2025, Resolution #O0525-089
6. Amended – June 2019: Resolution # O0619-120	13. Amended – July 2026, Resolution #O0726-094
7. Reviewed – May 2020, Resolution #O0520-148	14.

1.6 Closing certain thoroughfares to vehicles (s.3.50)

Function Delegated	Authority to close a thoroughfare to vehicles wholly or partially, for a period not exceeding four weeks.
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power being Delegated	*Local Government Act 1995* s.3.50 – Closing certain thoroughfares to vehicles
Power originally assigned to	Local Government
Power to Delegate	*Local Government Act 1995* s.5.42 – Delegation of some powers or duties to the CEO s.5.43 – Limitations on delegations to the CEO
Power Delegated to	Chief Executive Officer
Council Conditions	Nil
Power to Sub-Delegate	*Local Government Act 1995* s.5.44 – CEO may delegate powers and duties to other employees
Sub-Delegated to	Director Asset Management
CEO Conditions	Nil
Compliance Links	*Local Government Act 1995* s.3.50A – Partial closure of thoroughfare for repairs and maintenance s.3.51 - Affected owners to be notified of certain proposals

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Adopted - February 2004, Resolution # O0204-0769	9. Amended – June 2019: Resolution # O0619-120
2. Reviewed - February 2011, Resolution # O0211-1575	10. Reviewed – May 2020, Resolution #O0520-148
3. Reviewed - May 2012, Resolution # AP0412-005	11. Reviewed – May 2021, Resolution #O0521-147
4. Reviewed - June 2013, Resolution # O0613-012	12. Reviewed – May 2022, Resolution #O0522-112
5. Reviewed – May 2015, Resolution # O0515-026	13. Reviewed – June 2023, Resolution #O0623-117
6. Reviewed – July 2016, Resolution # O0716-032	14. Reviewed – May 2024, Resolution #O0524-059
7. Reviewed – June 2017, Resolution #O0617-133	15. Amended – May 2025, Resolution #O0525-089
8. Reviewed – May 2018, Resolution #O0518-098	16. Reviewed – July 2026, Resolution #O0726-094

1.7 Declaring a vehicle as an abandoned vehicle wreck (s.3.40A)

Function Delegated	Authority to – 1. declare an impounded vehicle as an abandoned wreck 2. authorise an employee to remove and impound a vehicle that has been determined as an abandoned vehicle wreck
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power being Delegated	*Local Government Act 1995* s.3.40A(1) & (4) – Abandoned vehicle wreck may be taken
Power originally assigned to	Local Government
Power to Delegate	*Local Government Act 1995* s.5.42 – Delegation of some powers or duties to the CEO s.5.43 – Limitations on delegations to the CEO
Power Delegated to	Chief Executive Officer
Council Conditions	Nil
Power to Sub-Delegate	*Local Government Act 1995* s.5.44 – CEO may delegate powers and duties to other employees
Sub-Delegated to	Director External Services Manager Ranger & Emergency Services Coordinator Ranger Services Shire Ranger
CEO Conditions	Nil
Compliance Links	*Local Government Act 1995* s.3.39 - Power to remove and impound s.3.46 – Goods may be withheld until costs paid s.3.47 – Confiscated or uncollected goods, disposal of

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Adopted – March 2009, Resolution # O0309-1572	9. Amended – June 2019: Resolution # O0619-120
2. Reviewed - February 2011, Resolution # O0211-1575	10. Reviewed – May 2020, Resolution #O0520-148
3. Reviewed - May 2012, Resolution # AP0412-005	11. Reviewed – May 2021, Resolution #O0521-147
4. Reviewed - June 2013, Resolution # O0613-012	12. Amended – May 2022, Resolution #O0522-112
5. Reviewed – May 2015, Resolution # O0515-026	13. Reviewed – June 2023, Resolution #O0623-117
6. Reviewed – July 2016, Resolution # O0716-032	14. Reviewed – May 2024, Resolution #O0524-059
7. Reviewed – June 2017, Resolution #O0617-133	15. Amended – May 2025, Resolution #O0525-089
8. Reviewed – May 2018, Resolution #O0518-098	16. Amended – July 2026, Resolution #O0726-094

1.8 Disposing of confiscated or uncollected goods (s.3.47)

Function Delegated	Authority to sell or otherwise dispose of confiscated or uncollected goods that have been ordered to be confiscated under s.3.43.	
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.		
Power being Delegated	*Local Government Act 1995* s.3.47 – Confiscated or uncollected goods, disposal of	
Power originally assigned to	Local Government	
Power to Delegate	*Local Government Act 1995* s.5.42 – Delegation of some powers or duties to the CEO s.5.43 - Limitations on delegations to the CEO	
Power Delegated to	Chief Executive Officer	
Council Conditions	Nil	
Power to Sub-Delegate	*Local Government Act 1995* s.5.44 – CEO may delegate some powers & duties to other employees	
Sub-Delegated to	Director External Services	Manager Ranger & Emergency Services
CEO Conditions	Nil	
Compliance Links	*Local Government Act 1995* s.3.40 - Vehicle may be removed if goods to be impounded are in or on vehicle s.3.42 - Impounded non-perishable goods s.3.43 - Impounded non-perishable goods, court may confiscate s.3.44 - Notice to collect goods if not confiscated s.3.46 - Goods may be withheld until costs paid s.3.58 - Disposing of Property	

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Adopted - February 2004, Resolution # O0204-0769	9. Amended – June 2019: Resolution # O0619-120
2. Reviewed - February 2011, Resolution # O0211-1575	10. Amended – May 2020, Resolution #O0520-148
3. Reviewed - May 2012, Resolution # AP0412-005	11. Reviewed – May 2021, Resolution #O0521-147
4. Reviewed - June 2013, Resolution # O0613-012	12. Amended – May 2022, Resolution #O0522-112
5. Reviewed – May 2015, Resolution # O0515-026	13. Amended – June 2023, Resolution #O0623-117
6. Reviewed – July 2016, Resolution # O0716-032	14. Amended – May 2024, Resolution #O0524-059
7. Reviewed – June 2017, Resolution #O0617-133	15. Reviewed – May 2025, Resolution #O0525-089
8. Reviewed – May 2018, Resolution #O0518-098	16. Reviewed – July 2026, Resolution #O0726-094

1.9 Disposing of property (s.3.58)	
Function Delegated	Authority to dispose of property surplus to the Shire's operational needs.
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power being Delegated	*Local Government Act 1995* s.3.58 - Disposing of Property
Power originally assigned to	Local Government
Power to Delegate	*Local Government Act 1995* s.5.42 – Delegation of some powers or duties to the CEO s.5.43 – Limitations on delegations to the CEO
Power Delegated to	Chief Executive Officer
Council Conditions	1. Authority for the Disposal of land and/or building assets is limited to matters specified in the Annual Budget or Council Plan and in any other case, requires a specific resolution of Council. 2. The Chief Executive Officer is limited to determining disposals of property (including land assets) for any single project, or where not part of a project a single event, to an aggregated maximum material value of $500,000. 3. Authority to determine the method of disposal - a. Where a public auction is determined as the method of disposal - i. a reserve price has been set through independent valuation; ii. where the reserve price is not achieved at auction negotiation may be undertaken to achieve the sale of the property at up to a 10% variation on the valuation price. b. Where a public tender is determined as the method of disposal and the tender does not achieve a reasonable price for the disposal of the property, then the CEO is to determine if better value could be achieved through another disposal method and if so, must determine not to accept any tender and use an alternative disposal method. c. Where a direct negotiation is determined [s.3.58(3)] as the method of disposal, authority to - i. negotiate the sale of the property up to a 10% variance below the valuation; and ii. consider any public submissions received and determine if to proceed with the disposal, ensuring that the reasons for such a determination are recorded.
Power to Sub-Delegate	*Local Government Act 1995* s.5.44 – CEO may delegate some powers and duties to other employees
Sub-Delegated to	Director Asset Management Director Corporate & Community Services Director External Services
CEO Conditions	Authority to dispose of property is limited to plant, equipment or property less than $20,000 in accordance with Council Conditions.

1.9 Disposing of property (s.3.58)

Compliance Links	*Local Government Function and General Regulations 1996* r.30 - Dispositions of property excluded from Act s. 3.58 Council Policy Asset Disposal Policy

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Adopted – May 2010, Resolution # O0510-1456	10. Amended – June 2019: Resolution # O0619-120
2. Reviewed - February 2011, Resolution # O0211-1575	11. Amended – May 2020, Resolution #O0520-148
3. Reviewed - May 2012, Resolution # AP0412-005	12. Reviewed – May 2021, Resolution #O0521-147
4. Reviewed – December 2012, Resolution # O1212-062	13. Reviewed – May 2022, Resolution #O0522-112
5. Reviewed - June 2013, Resolution # O0613-012	14. Amended – June 2023, Resolution #O0623-117
6. Reviewed – May 2015, Resolution # O0515-026	15. Amended – May 2024, Resolution #O0524-059
7. Reviewed – July 2016, Resolution # O0716-032	16. Amended – May 2025, Resolution #O0525-089
8. Reviewed – June 2017 Resolution # O0617-133	17. Amended – July 2026, Resolution #O0726-094
9. Reviewed – May 2018, Resolution # O0518-098	18.

1.10 Investment of funds (s.6.14)

Function Delegated	Authority to invest money in the municipal fund or the trust fund that is not for the time being, required for any other purpose.
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power being Delegated	*Local Government Act 1995* s.6.14 – Power to invest
Power originally assigned to	Local Government
Power to Delegate	*Local Government Act 1995* s.5.42 – Delegation of some powers or duties to the CEO s.5.43 - Limitations on delegations to the CEO
Power Delegated to	Chief Executive Officer
Council Conditions	Nil
Power to Sub-Delegate	*Local Government Act 1995* s.5.44 – CEO may delegate some powers and duties to other employees
Sub-Delegated to	Director Corporate & Community Services Manager Financial Services
CEO Conditions	Nil
Compliance Links	*Local Government (Financial Management) Regulations 1996* r.19 - Investments, control procedures for Council Policy Investment Policy

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Adopted - February 2004, Resolution # O0204-0769	9. Amended – June 2019: Resolution # O0619-120
2. Reviewed - February 2011, Resolution # O0211-1575	10. Amended – May 2020, Resolution #O0520-148
3. Reviewed - April 2012, Resolution # AP0412-005	11. Reviewed – May 2021, Resolution #O0521-147
4. Reviewed - June 2013, Resolution # O0613-012	12. Amended – May 2022, Resolution #O0522-112
5. Reviewed – May 2015, Resolution # O0515-026	13. Amended – June 2023, Resolution #O0623-117
6. Reviewed – July 2016, Resolution # O0716-032	14. Amended – May 2024, Resolution #O0524-059
7. Reviewed – June 2017 Resolution # O0617-133	15. Reviewed – May 2025, Resolution #O0525-089
8. Reviewed – May 2018, Resolution # O0518-098	16. Reviewed – July 2026, Resolution #O0726-094

1.11 Local government may require lessee to pay rent (s.6.60)

Function Delegated	Authority to - 1. Give notice to a lessee of land in respect of which there is an unpaid rate or service charge, requiring the lessee to pay its rent to the Shire of Esperance 2. Recover the amount of the rate or service charge as a dept from the lessee if rent is not paid in accordance with a notice.
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power being Delegated	*Local Government Act 1995* s.6.60 – Local Government may require lessee to pay rent
Power originally assigned to	Local Government
Power to Delegate	*Local Government Act 1995* s.5.42 - Delegation of some powers or duties to the CEO s.5.43 - Limitations on delegations to the CEO
Power Delegated to	Chief Executive Officer
Council Conditions	Nil
Power to Sub-Delegate	*Local Government Act 1995* s.5.44 – CEO may delegate some powers & duties to other employees
Sub-Delegated to	Director Corporate & Community Services Manager Financial Services
CEO Conditions	Nil
Compliance Links	Nil

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Adopted - February 2004, Resolution # O0204-0769	9. Amended – June 2019: Resolution # O0619-120
2. Reviewed - February 2011, Resolution # O0211-1575	10. Reviewed – May 2020, Resolution #O0520-148
3. Reviewed - April 2012, Resolution # AP0412-005	11. Reviewed – May 2021, Resolution #O0521-147
4. Reviewed - June 2013, Resolution # O0613-012	12. Reviewed – May 2022, Resolution #O0522-112
5. Reviewed – May 2015, Resolution # O0515-026	13. Amended – June 2023, Resolution #O0623-117
6. Reviewed – July 2016, Resolution # O0716-032	14. Reviewed – May 2024, Resolution #O0524-059
7. Reviewed – June 2017, Resolution #O0617-133	15. Amended – May 2025, Resolution #O0525-089
8. Reviewed – May 2018, Resolution #O0518-098	16. Reviewed – July 2026, Resolution #O0726-094

1.12 Objection to the rate record (s.6.76)

Function Delegated	Authority to - 1. Extend the period of time for making the objection for such period as seen fit upon application by a person proposing to make an objection to the rate record. 2. Promptly consider any objection to the rate record and either disallow it or allow it, wholly or in part. 3. Serve upon the person by whom the objection was made written notice of its decision on the objection and a statement of its reason for that decision.
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power being Delegated	*Local Government Act 1995* s.6.76 – Grounds of objection
Power originally assigned to	Local Government
Power to Delegate	*Local Government Act 1995* s.5.42 – Delegation of some powers or duties to the CEO s.5.43 – Limitations on delegations to the CEO
Power Delegated to	Chief Executive Officer
Council Conditions	Nil
Power to Sub-Delegate	*Local Government Act 1995* s.5.44 – CEO may delegate some powers & duties to other employees
Sub-Delegated to	CEO has elected to not sub-delegate this role
CEO Conditions	N/A
Compliance Links	Nil

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Adopted - February 2004, Resolution # O0204-0769	9. Amended – June 2019: Resolution #O0619-120
2. Reviewed - February 2011, Resolution # O0211-1575	10. Reviewed – May 2020, Resolution #O0520-148
3. Reviewed - April 2012, Resolution # AP0412-005	11. Reviewed – May 2021, Resolution #O0521-147
4. Reviewed - June 2013, Resolution # O0613-012	12. Reviewed – May 2022, Resolution #O0522-112
5. Reviewed – May 2015, Resolution # O0515-026	13. Amended – June 2023, Resolution #O0623-117
6. Reviewed – July 2016, Resolution # O0716-032	14. Reviewed – May 2024, Resolution #O0524-059
7. Reviewed – June 2017 Resolution # O0617-133	15. Amended – May 2025, Resolution #O0525-089
8. Reviewed – May 2018, Resolution # O0518-098	16. Amended – July 2026, Resolution #O0726-094

1.13 Partial closure of thoroughfare for repairs and maintenance (s.3.50A)

Function Delegated	Authority to partially and temporarily close a thoroughfare, without giving local public notice, if the closure is - a. for the purpose of carrying out repairs or maintenance; and b. unlikely to have a significant adverse effect on users of the thoroughfare.
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power being Delegated	*Local Government Act 1995* s.3.50A – Partial closure of thoroughfare for repairs or maintenance
Power originally assigned to	Local Government
Power to Delegate	*Local Government Act 1995* s.5.42 - Delegation of some powers or duties to the CEO s.5.43 - Limitations on delegations to the CEO
Power Delegated to	Chief Executive Officer
Council Conditions	Nil
Power to Sub-Delegate	*Local Government Act 1995* s.5.44 – CEO may delegate some powers and duties to other employees
Sub-Delegated to	Director Asset Management Director External Services
CEO Conditions	Nil
Compliance Links	*Local Government Act 1995* s.3.50 - Closing certain thoroughfares to vehicles s.3.51 – Affected owners to be notified of certain proposals

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Adopted - February 2004, Resolution # O0204-0769	9. Amended – June 2019: Resolution # O0619-120
2. Reviewed - February 2011, Resolution # O0211-1575	10. Reviewed – May 2020, Resolution #O0520-148
3. Reviewed - April 2012, Resolution # AP0412-005	11. Reviewed – May 2021, Resolution #O0521-147
4. Reviewed - June 2013, Resolution # O0613-012	12. Reviewed – May 2022, Resolution #O0522-112
5. Reviewed – May 2015, Resolution # O0515-026	13. Amended – June 2023, Resolution #O0623-117
6. Reviewed – July 2016, Resolution # O0716-032	14. Reviewed – May 2024, Resolution #O0524-059
7. Reviewed – June 2017, Resolution # O0617-133	15. Amended – May 2025, Resolution #O0525-089
8. Reviewed – May 2018, Resolution # O0518-098	16. Amended – July 2026, Resolution #O0726-094

1.14 Power to remove, impound goods and recover expenses (s.3.39 & s.3.48)

Function Delegated	Authority to a. Remove and impound any goods as per s.3.39 of the Act. b. Recover from the convicted offender the expenses incurred by removing and impounding the goods and disposing of them, if goods were removed and impounded under s.3.39.
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power being Delegated	*Local Government Act 1995* s.3.39 – Power to remove and impound s.3.48 – Impounding expenses, recovery of
Power originally assigned to	Local Government
Power to Delegate	*Local Government Act 1995* s.5.42 - Delegation of some powers or duties to the CEO s.5.43 - Limitations on delegations to the CEO
Power Delegated to	Chief Executive Officer
Council Conditions	Nil
Power to Sub-Delegate	*Local Government Act 1995* s.5.44 – CEO may delegate some powers and duties to other employees
Sub-Delegated to	Director External Services Manager Ranger & Emergency Services Coordinator Ranger Services Shire Ranger
CEO Conditions	Shire Ranger and Coordinator Ranger Services authority is limited to the removal and impoundment of goods.
Compliance Links	s.3.47 - Confiscated or uncollected goods, disposal of

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Adopted - February 2004, Resolution # O0204-0769	9. Amended – June 2019: Resolution # O0619-120
2. Reviewed - February 2011, Resolution # O0211-1575	10. Reviewed – May 2020, Resolution #O0520-148
3. Reviewed - April 2012, Resolution # AP0412-005	11. Reviewed – May 2021, Resolution #O0521-147
4. Reviewed - June 2013, Resolution # O0613-012	12. Amended – May 2022, Resolution #O0522-112
5. Reviewed – May 2015, Resolution # O0515-026	13. Amended – June 2023, Resolution #O0623-117
6. Reviewed – July 2016, Resolution # O0716-032	14. Reviewed – May 2024, Resolution #O0524-059
7. Reviewed – June 2017, Resolution #O0617-133	15. Reviewed – May 2025, Resolution #O0525-089
8. Reviewed – May 2018, Resolution #O0518-098	16. Amended – July 2026, Resolution #O0726-094

1.15 Power to waive or write off debts (s.6.12)

Function Delegated	Authority to – 1. waive a debt which is owed to the local government. [s.6.12(1)(b)] 2. write off money which is owed to the local government. [s.6.12(1)(c)]
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power being Delegated	*Local Government Act 1995* s.6.12 – Power to defer, grant discounts, waive or write off debts
Power originally assigned to	Local Government
Power to Delegate	*Local Government Act 1995* s.5.42 - Delegation of some powers or duties to the CEO s.5.43 - Limitations on delegations to the CEO
Power Delegated to	Chief Executive Officer
Council Conditions	Debts up to a value of $1,000.00 may be written off, conditional upon all reasonable avenues of debt recovery action having been exhausted. A fee up to a value of $1,000 may only be waived to rectify a service failure on part of the local government, or to assist a not for profit community group or charitable entity in fulfilling a service, social or cultural outcome within the Shire of Esperance.
Power to Sub-Delegate	*Local Government Act 1995* s.5.44 – CEO may delegate some powers and duties to other employees
Sub-Delegated to	Director Corporate & Community Services
CEO Conditions	Subdelegates have authority to write off debts only.
Compliance Links	Council Policy Debt Collection Policy

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Adopted - February 2004, Resolution # O0204-0769	9. Amended – June 2019: Resolution # O0619-120
2. Reviewed - February 2011, Resolution # O0211-1575	10. Reviewed – May 2020, Resolution #O0520-148
3. Reviewed - April 2012, Resolution # AP0412-005	11. Amended – May 2021, Resolution #O0521-147
4. Reviewed - June 2013, Resolution # O0613-012	12. Amended – May 2022, Resolution #O0522-112
5. Reviewed – May 2015, Resolution # O0515-026	13. Amended – June 2023, Resolution #O0623-117
6. Reviewed – July 2016, Resolution # O0716-032	14. Amended – May 2024, Resolution #O0524-059
7. Reviewed – June 2017, Resolution # O0617-133	15. Reviewed – May 2025, Resolution #O0525-089
8. Reviewed – May 2018, Resolution # O0518-098	16. Amended – July 2026, Resolution #O0726-094

1.16 Rates or service charges recoverable in court (s.6.56)

Function Delegated	Authority to recover rates or service charges, as well as costs of proceedings for the recovery, in a court of competent jurisdiction.
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power being Delegated	*Local Government Act 1995* s.6.56. Rates or service charges recoverable in court
Power originally assigned to	Local Government
Power to Delegate	*Local Government Act 1995* s.5.42 - Delegation of some powers or duties to the CEO s.5.43 - Limitations on delegations to the CEO
Power Delegated to	Chief Executive Officer
Council Conditions	Nil
Power to Sub-Delegate	*Local Government Act 1995* s.5.44 - CEO may delegate some powers and duties to other employees
Sub-Delegated to	Director Corporate & Community Services Manager Financial Services
CEO Conditions	Nil
Compliance Links	Council Policy Debt Collection Policy

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Adopted - February 2004, Resolution # O0204-0769	9. Amended – June 2019: Resolution # O0619-120
2. Reviewed - February 2011, Resolution # O0211-1575	10. Reviewed – May 2020, Resolution #O0520-148
3. Reviewed - April 2012, Resolution # AP0412-005	11. Reviewed – May 2021, Resolution #O0521-147
4. Reviewed - June 2013, Resolution # O0613-012	12. Amended – May 2022, Resolution #O0522-112
5. Reviewed – May 2015, Resolution # O0515-026	13. Amended – June 2023, Resolution #O0623-117
6. Reviewed – July 2016, Resolution # O0716-032	14. Amended – May 2024, Resolution #O0524-059
7. Reviewed – June 2017 Resolution # O0617-133	15. Reviewed – May 2025, Resolution #O0525-089
8. Reviewed – May 2018, Resolution # O0518-098	16. Amended – July 2026, Resolution #O0726-094

1.17 Disposal of sick or injured animals (s.3.47A)

Function Delegated	Authority to a. humanely destroy the animal and dispose of the carcass, if an impounded animal is ill or injured to such an extent that treating it is not practicable; and b. recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods.
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power being Delegated	*Local Government Act 1995* s.3.47A – Sick or injured animals, disposal of s.3.48 – Impounding expenses, recovery of
Power originally assigned to	Local Government
Power to Delegate	*Local Government Act 1995* s.5.42 - Delegation of some powers or duties to the CEO s.5.43 - Limitations on delegations to the CEO
Power Delegated to	Chief Executive Officer
Council Conditions	Nil
Power to Sub-Delegate	*Local Government Act 1995* s.5.44 – CEO may delegate some powers and duties to other employees
Sub-Delegated to	Director External Services Coordinator Ranger Services Shire Ranger Manager Ranger & Emergency Services
CEO Conditions	Nil
Compliance Links	Nil

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Adopted – July 2015, Resolution #O0715-017	7. Reviewed – May 2021, Resolution #O0521-147
2. Reviewed – July 2016, Resolution # O0716-032	8. Reviewed – May 2022, Resolution #O0522-112
3. Reviewed – March 2017 Incorrect section referenced now corrected	9. Amended – June 2023, Resolution #O0623-117
4. Reviewed – May 2018, Resolution #O0518-098	10. Reviewed – May 2024, Resolution #O0524-059
5. Amended – June 2019: Resolution # O0619-120	11. Reviewed – May 2025, Resolution #O0525-089
6. Amended – May 2020, Resolution #O0520-148	12. Amended – July 2026, Resolution #O0726-094

1.18 Dog Local Law 2024

Function Delegated	Authority to – 1. Approve an application for a licence subject to conditions [cl.4.8] 2. Vary or cancel a licence. [cl.4.13] 3. Approve or refuse an application for the transfer of a valid licence. [cl.4.14(3)]
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power being Delegated	Dog Local Law 2024 cl.4.8 Conditions of approval cl.4.13 Variation or cancellation of licence cl.4.14(3) Transfer
Power originally assigned to	Local Government
Power to Delegate	*Local Government Act 1995* s.5.42 – Delegation of some powers or duties to the CEO s.5.43 – Limitations on delegations to the CEO
Power Delegated to	Chief Executive Officer
Council Conditions	Nil
Power to Sub-Delegate	*Local Government Act 1995* s.5.44 – CEO may delegate some powers & duties to other employees
Sub-Delegated to	Director External Services Manager Ranger & Emergency Services Coordinator Ranger Services Shire Ranger
CEO Conditions	Nil
Compliance Links	Nil

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Adopted – May 2025, Resolution #O0525-089	3.
2. Amended – July 2026, Resolution #O0726-094	4.

1.19 Fencing Local Law 2018

Function Delegated	Authority to consent to the erection or repair of a fence which does not comply with the Fencing Local Law requirements
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power being Delegated	Fencing Local Law 2018 cl.3.2 General discretion of the Local Government
Power originally assigned to	Local Government
Power to Delegate	*Local Government Act 1995* s.5.42 – Delegation of some powers or duties to the CEO s.5.43 – Limitations on delegations to the CEO
Power Delegated to	Chief Executive Officer
Council Conditions	Nil
Power to Sub-Delegate	*Local Government Act 1995* s.5.44 – CEO may delegate some powers & duties to other employees
Sub-Delegated to	Director External Services Manager Development Services Coordinator Planning Services Coordinator Building Services
CEO Conditions	Nil
Compliance Links	Fencing Local Law 2018 3.2(2) General discretion of the local government

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Adopted – May 2025, Resolution #O0525-089	4.
2. Amended – July 2026, Resolution #O0726-094	5.
3.	6.

1.20 Extractive Industries Local Law 2024

Function Delegated	Authority to – 1. Display or require the applicant to display notices. [cl2.2(2)] 2. Exempt a person making application for a licence from supplying data required in cl.2.3(1)(b), (d), (e) and (i). [cl.2.3] 3. Refuse or approve an application for transfer of licence. [cl.4.1(2)]
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power being Delegated	Extractive Industries Local Law 2024 cl.2.2(2) Applicant to advertise proposal cl.2.3 Application for licence cl.4.1(2) Transfer of licence
Power originally assigned to	Local Government
Power to Delegate	*Local Government Act 1995* s.5.42 – Delegation of some powers or duties to the CEO s.5.43 – Limitations on delegations to the CEO
Power Delegated to	Chief Executive Officer
Council Conditions	Nil
Power to Sub-Delegate	*Local Government Act 1995* s.5.44 – CEO may delegate some powers & duties to other employees
Sub-Delegated to	Director External Services Manager Development Services Coordinator Planning Services
CEO Conditions	Nil
Compliance Links	Nil

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Adopted – May 2025, Resolution #O0525-089	4.
2. Amended – July 2026, Resolution #O0726-094	5.
3.	6.

1.21 Local Government Property Local Law 2001	
Function Delegated	Authority to – 1. Approve or refuse an application for permit. [cl.3.3] 2. Approve an application for permit subject to conditions. [cl. 3.4] 3. Approve an application for permit subject to conditions by reference to a policy. [cl.3.5] 4. Vary conditions of a permit. [cl.3.6] 5. Approve or refuse an application for transfer of permit. [cl.3.10(2)] 6. Exempt a person from compliance with cl3.13(1). [cl.3.13(2)] 7. Exempt specified local government property or a class of local government property from the application of cl.3.13(1)(a). [cl.3.13(3)] 8. Erect a sign on local government property specifying any conditions of use which apply to that property. [cl.4.6(1)] 9. Exempt a person from compliance with cl.6.1(1)(b). [cl.6.1(2)]
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power being Delegated	Local Government Property Local Law 2001 cl.3.3 Decision on application for permit cl.3.4 Conditions which may be imposed on a permit cl.3.5 Imposing conditions under a policy cl.3.6 Compliance with and variation of conditions cl.3.10(2) Transfer of permit cl.3.13(2) and 3.13 (3) Activities needing a permit cl.4.6(1) Signs cl.6.1(2) No unauthorised entry to function
Power originally assigned to	Local Government
Power to Delegate	*Local Government Act 1995* s.5.42 – Delegation of some powers or duties to the CEO s.5.43 – Limitations on delegations to the CEO
Power Delegated to	Chief Executive Officer
Council Conditions	Nil
Power to Sub-Delegate	*Local Government Act 1995* s.5.44 – CEO may delegate some powers & duties to other employees
Sub-Delegated to	Director External Services Director Asset Management Manager Development Services Supervisor External Service Customer Experience Senior Customer Experience Officer Manager Ranger & Emergency Services

1.21 Local Government Property Local Law 2001	
	Manager Parks & Environment Environmental Health Coordinator Environmental Health Officer
CEO Conditions	Nil
Compliance Links	Nil

DELEGATION ADMINISTRATION	
Decision Reference	**Decision Reference**
1. Adopted – May 2025, Resolution #O0525-089	4.
2. Amended – July 2026, Resolution #O0726-094	5.
3.	6.

1.22 Private Property Local Law 2003

Function Delegated	Authority to – 1. Refuse or approve an application. [cl.2.4] 2. Assign a number to land in a street, thoroughfare or way in the district. [cl. 4.1(1)] 3. Establish a minimum standard for the display of street numbering in the district. [cl.4.1(2)] 4. Give notice of a breach, carry out works to remedy a breach and recover expenses. [cl.10.1]
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power being Delegated	Private Property Local Law 2003 cl.2.4 Determination of application cl.4.1 Assignment and standard of street numbers cl.10.1 Works on private property
Power originally assigned to	Local Government
Power to Delegate	*Local Government Act 1995* s.5.42 – Delegation of some powers or duties to the CEO s.5.43 – Limitations on delegations to the CEO
Power Delegated to	Chief Executive Officer
Council Conditions	Nil
Power to Sub-Delegate	*Local Government Act 1995* s.5.44 – CEO may delegate some powers & duties to other employees
Sub-Delegated to	Director External Services Manager Development Services Coordinator Planning Services
CEO Conditions	Nil
Compliance Links	Nil

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Adopted – May 2025, Resolution #O0525-089	4.
2. Amended – July 2026, Resolution #O0726-094	5.
3.	6.

1.23 Activities in Thoroughfares and Public Places and Trading Local Law 2025

Function Delegated	Authority to – 1. Exempt a person from compliance with cl.2.2(1). [cl.2.2(2)(c)] 2. Provide written notice to the owner or occupier of a lot to remove a crossing and reinstate any part of the thoroughfare which may be affected by the removal. [cl.2.5(2)] 3. Provide written notice to the owner or occupier of a lot abutting on a verge to make good a breach. [cl.2.11] 4. Assign a number to a lot in the district. [cl.2.15] 5. Erect a sign on a public place specifying any conditions of use which apply. [cl. 2.17(1)] 6. Exempt the holder of a permit from prohibitions in cl.3.2. [cl.3.4] 7. Signpost flora roads with the standard MRWA 'flora road' sign. [cl. 5.5] 8. Approve an application for a permit for the purpose of cl.5.13. [cl.5.15] 9. Refuse to approve an application for a permit. [cl. 6.5(2)] 10. Authorise another person to be a nominee of the permit holder for a specific period. [cl.6.6(2)] 11. Give notice in writing to vary the permitted area or time of a permit, and direct a permit holder to move from one permitted area to another if more than one area is specified in a permit. [cl.6.11] 12. Consider cl.6.17(a) to (e) in addition to any other matter considered relevant when determining an application. [cl.6.17] 13. Require an applicant to provide additional information. [cl.7.1(3)] 14. Approve or refuse a permit application. [cl.7.2] 15. Approve an application for a permit subject to conditions. [cl.7.3] 16. Vary the conditions of a permit. [cl.7.5(2)] 17. Approve or refuse an application for the transfer of a permit. [cl.7.8(2)] 18. Give notice to the owner or occupier of land requiring them to move or alter the direction of a sprinkler or watering equipment. [cl.9.1] 19. Give notice to the owner or occupier of land to remove, cut, move or otherwise deal with a plant to remove a hazard. [cl.9.2] 20. Give notice to a person who caused damage to repair or replace the thoroughfare. [cl.9.3] 21. Give notice in writing to the owner of occupier of the property or person responsible for a thing being placed requiring them to remove the thing. [cl.9.4]
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power being Delegated	Activities in Thoroughfares and Public Places and Trading Local Law 2025 cl.2.2(2)(c) Activities allowed with a permit - general cl.2.5(2) Removal of redundant crossing cl.2.11 Notice to owner or occupier cl.2.15 Assignment of numbers cl.2.17(1) Signs cl.3.4(1) Exemption cl.5.5 Signposting of flora roads cl.5.15 When application for permit can be approved cl.6.5(2) Relevant considerations in determining application for permit cl.6.6(2) Conditions of permit

1.23 Activities in Thoroughfares and Public Places and Trading Local Law 2025	
	cl.6.11 Variation of a permitted area and permitted time cl.6.17 Matters to be considered in determining application cl.7.1(3) Application for permit cl.7.2 Decision on application for permit cl.7.3 Conditions which may be imposed on a permit cl.7.5(2) Compliance with and variation of conditions cl.7.8(2) Transfer of permit cl.9.1 Notice to redirect or repair sprinkler cl.9.2 Hazardous plants cl.9.3 Notice to repair damaged thoroughfare cl.9.4 Notice to remove thing unlawfully placed on thoroughfare
Power originally assigned to	Local Government
Power to Delegate	*Local Government Act 1995* s.5.42 – Delegation of some powers or duties to the CEO s.5.43 – Limitations on delegations to the CEO
Power Delegated to	Chief Executive Officer
Council Conditions	Nil
Power to Sub-Delegate	*Local Government Act 1995* s.5.44 – CEO may delegate some powers & duties to other employees
Sub-Delegated to	Director External Services Manager Development Services Coordinator Planning Services Coordinator Environmental Health Environmental Health Officer Supervisor External Service Customer Experience Senior Customer Experience Officer
CEO Conditions	Nil
Compliance Links	Nil

DELEGATION ADMINISTRATION	
Decision Reference	**Decision Reference**
1. Adopted – May 2025, Resolution #O0525-089	4.
2. Amended – July 2026, Resolution #O0726-094	5.
3.	6.

1.24 Cemeteries Local Law 2024

Function Delegated	Authority to – 1. Issue a person with a grant [cl.2.2] 2. Renew a grant [cl.2.4] 3. Issue a new grant to replace a grant which is lost or destroyed [cl.2.5] 4. Transfer a grant from the holder to another person [cl.2.6] 5. Fixing times for a funeral [cl.3.5] 6. Issue a Funeral Director's licence to a fit person [cl.4.2] 7. Cancel a Funeral Director's licence [cl.4.5] 8. Issue or refuse a Single Funeral Permit [cl.4.6] 9. Approve a request for exhumation by a holder of a grant of right of burial [cl.6.4] 10. Approve the opening a coffin [cl.6.5] 11. Approve the removal of sand, soil or loam [cl.7.5] 12. Approve memorial or other work on graves within the cemetery outside of the hours of 8am and 6pm on weekdays, and 8am and noon on Saturdays [cl.7.6] 13. Approve the use of wood other than as a temporary marker [cl.7.8] 14. Approve planting of trees or shrubs on any grave or in the cemetery [cl.7.9] 15. Issue a Monumental Mason's licence [cl.7.16] 16. Terminate a Monumental Mason's licence [cl.7.20] 17. Permit a person to damage or remove objects in the cemetery [cl.8.3] 18. Approve advertising within the cemetery [cl.8.6] 19. Approve a person to light a fire within the cemetery [cl.8.13]
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power being Delegated	Cemeteries Local Law 2024 cl.2.2 Issuing grants cl.2.4 Renewal of grant cl.2.5 Replacement of grant cl.2.6 Transfer of grant cl.3.5 Fixing times for Funeral cl.4.2 Funeral Director's licence cl.4.5 Cancellation of Funeral Director's licence cl.4.6 Single Funeral Permits cl.6.4 Exhumation cl.6.5 Opening a coffin cl.7.5 Removal of sand, soil or loam cl.7.6 Hours of work cl.7.8 Use of wood cl.7.9 Plants and trees cl.7.16 Monumental Mason's licence cl.7.20 Cancellation of a Monumental Mason's licence cl.8.3 Damaging and removing of objects cl.8.6 Advertising cl.8.13 Lighting fires

1.24 Cemeteries Local Law 2024	
Power originally assigned to	Local Government
Power to Delegate	*Local Government Act 1995* s.5.42 – Delegation of some powers or duties to the CEO s.5.43 – Limitations on delegations to the CEO
Power Delegated to	Chief Executive Officer
Council Conditions	Nil
Power to Sub-Delegate	*Local Government Act 1995* s.5.44 – CEO may delegate some powers & duties to other employees
Sub-Delegated to	Director Asset Management – 11, 12, 13,14, 17, 18, 19 Manager Parks & Environment – 14, 17, 9 Supervisor External Services Customer Experience – 5, 15 Senior Customer Experience Officer – 5, 15 Customer Experience Officer – 5, 15 Customer Experience Officer – Planning Services – 5, 15 Administration Officer – Waste – 5.15
CEO Conditions	Nil
Compliance Links	Nil

DELEGATION ADMINISTRATION	
Decision Reference	**Decision Reference**
1. Adopted – July 2026, Resolution #O0726-094	4.
2.	5.
3.	6.

1.25 Waste Local Law 2025

Function Delegated	Authority to determine – 1. that there has been a failure to comply with a condition of an exemption [cl.2.8(4)] 2. the hours of operation of a waste facility [cl.4.2] 3. the classification of any waste that may be deposited at a waste facility [cl.4.5(2)]
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power being Delegated	Waste Local Law 2025 cl. 2.8(4) Exemption cl.4.2 Hours of operation cl.4.5(2) Depositing waste
Power originally assigned to	Local Government
Power to Delegate	
Power Delegated to	Chief Executive Officer
Council Conditions	Nil
Power to Sub-Delegate	
Sub-Delegated to	Manager Sustainability & Resource Recovery Technical Officer Waste, Sustainability & Resource Recovery
CEO Conditions	Nil
Compliance Links	Nil

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Adopted – July 2026, Resolution #O0726-094	4.
2.	5.
3.	6.

1.26 Parking & Parking Facilities Local Law 2025

Function Delegated	Authority to 1. prohibit or regulate by signs or otherwise, the stopping or parking of any vehicle in any part of the parking region. [cl.1.10] 2. allow a person to mark, set up or exhibit a sign, remove, deface or misuse a sign or property, or affix a board, sign, placard, notice or other thing to or paint or write upon any part of a sign exhibited by the Shire. [cl.7.2] 3. permit a person to leave a vehicle, or any part of a vehicle, in a public place so that it obstructs the use of any part of that public place for more than 24 hours. [cl.7.6]
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power being Delegated	Parking & Parking Facilities Local Law 2025 cl.1.10 Powers of the local government cl.7.2 Unauthorised signs and defacing of signs cl.7.6 Vehicles not to obstruct a public place
Power originally assigned to	Local Government
Power to Delegate	*Local Government Act 1995* s.5.42 – Delegation of some powers or duties to the CEO s.5.43 – Limitations on delegations to the CEO
Power Delegated to	Chief Executive Officer
Council Conditions	Nil
Power to Sub-Delegate	*Local Government Act 1995* s.5.44 – CEO may delegate some powers & duties to other employees
Sub-Delegated to	Director External Services (3) Director Asset Management (1), (2), (3) Manager Asset Operations (1), (2), (3) Manager Ranger & Emergency Services (3) Coordinator Ranger Services (3) Shire Ranger (3)
CEO Conditions	Nil
Compliance Links	Nil

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Adopted – July 2026, Resolution #O0726-094	3.
2.	4.

1.27 Bush Fire Brigades Local Law 2025

Function Delegated	Authority to – 1. manage expenditure of funds in accordance with the Local Government Grant Scheme Manual. [cl.6.1(2)] 2. approve or refuse an application for funding depending upon the assessment of budget priorities for the year in question. [cl.6.2(3)] 3. dispose of objection by dismissing, varying or revoking the decision objected to. [cl.2.11]
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power being Delegated	Bush Fire Brigades Local Law 2025 cl.6.1(2) Funding from Local Government Grant Scheme cl.6.2(3) Funding from local government budget cl.2.11 Objection rights
Power originally assigned to	Local Government
Power to Delegate	*Bush Fires Act 1954* s.48 - Delegation by local governments
Power Delegated to	Chief Executive Officer
Council Conditions	Objection reviews cannot be undertaken by a person involved in the original decision.
Power to Sub-Delegate	Not applicable – Sub-delegation is prohibited by s.48 - Delegation by local governments
Sub-Delegated to	Nil
CEO Conditions	Nil
Compliance Links	Nil

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Adopted – July 2026, Resolution #O0726-094	4.
2.	5.
3.	6.

1.28 Infringement Extension of Time (s.9.19)

Function Performed	Authority to extend the period of time in which a modified penalty may be paid.
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power of Appointment	*Local Government Act 1995* s.9.19 – Extension of time
Appointment power originally assigned to	Chief Executive Officer
Power to Delegate	*Local Government Act 1995* s.5.44 – CEO may delegate some powers and duties to other employees
Power Delegated to	Director External Services Manager Development Services Coordinator Planning Services Manager Ranger & Emergency Services
CEO Conditions	Nil
Compliance Links	Nil

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Adopted – May 2025, Resolution #O0525-089	7.
2. Amended – July 2026, Resolution #O0726-094	8.
3.	9.
4.	10.
5.	11.
6.	12.

PART 2 *BUILDING ACT 2011*

2.1 Appointment of Authorised Persons (s.96 & s.99)	
Function Delegated	Authority to – a. Designate an employee as an authorised person under the *Building Act 2011*; and b. Revoke or vary a condition of designation as an authorised person or give written notice to an authorised person limiting powers that may be exercised by that person.
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power being Delegated	*Building Act 2011* s.96 - Authorised Person s.99 - Limitation on powers of authorised person
Power originally assigned to	Local Government
Power to Delegate	*Building Act 2011* s.127(6A) – Delegation: Special Permit Authorities and Local Governments
Power Delegated to	Chief Executive Officer
Council Conditions	Nil
Power to Sub-Delegate	*Local Government Act 1995* s.5.44 – CEO may delegate powers and duties to other employees **CEO has elected to not sub-delegate this role**
Sub-Delegated to	N/A
CEO Conditions	N/A
Compliance Links	*Building Act 2011* s.97 - Identity cards

DELEGATION ADMINISTRATION	
Decision Reference	**Decision Reference**
1. Adopted – July 2012, Resolution # O0712-065	8. Amended – May 2021, Resolution #O0521-147
2. Reviewed – May 2015, Resolution # O0515-026	9. Reviewed – May 2022, Resolution #O0522-112
3. Reviewed – July 2016, Resolution # O0716-032	10. Reviewed – June 2023, Resolution #O0623-117
4. Reviewed – June 2017 Resolution # O0617-133	11. Reviewed – May 2024, Resolution #O0524-059
5. Reviewed – May 2018, Resolution # O0518-098	12. Amended – May 2025, Resolution #O0525-089

2.1 Appointment of Authorised Persons (s.96 & s.99)

6.	Amended – June 2019: Resolution # O0619-120	13.	Reviewed – July 2026, Resolution #O0726-094
7.	Reviewed – May 2020, Resolution #O0520-148	14.	

2.2 Powers pursuant to the Building Act 2011	
Function Delegated	To undertake the powers of the Local Government for the following sections of the *Building Act 2011*.
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power being Delegated	*Building Act 2011* s.18 Further Information s.20 Grant of building permit s.21 Grant of demolition permit s.22 Further grounds for not granting an application s.24 Notice of decision not to grant building or demolition permit s.27 Conditions imposed by permit authority s.55 Further information s.58 Grant of occupancy permit, building approval certificate s.60 Notice of decision not grant occupancy permit or grant building approval certificate s.62 Conditions imposed by permit authority s.65 Extension of period of duration s.88 Finishes of walls close to boundaries s.110 Building orders s.111 Notice of proposed building order other than a building order (emergency) s.117 Revocation of building order s.118 Permit authority may give effect to building order if non-compliance s.131 Inspection, copies of building records
Power originally assigned to	Local Government
Power to Delegate	*Building Act 2011* s.127 – Delegation: Special Permit Authorities and Local Governments
Power Delegated to	Chief Executive Officer
Council Conditions	Officers who issue building orders (s.110) or notices (s.111) must not revoke (s.117) or give effect to those building orders (s.118).
Power to Sub-Delegate	*Building Act 2011* s.127 – Delegation: Special Permit Authorities and Local Governments
Sub-Delegated to	Director External Services - (s.18, s.20, s.21, s.22, s.24, s.27, s.55, s.58, s.60, s.62, s.65, s.88, s.110, s.111, s.117, s.118 & s.131) Manager Development Services - (s.18, s.20, s.21, s.22, s.24, s.27, s.55, s.58, s.60, s.62, s.65, s.88, s.110, s.111, s.117, s.118 & s.131) Coordinator Building Services - (s.18, s.20, s.21, s.24, s.27, s.55, s.58, s.60, s.62, s.65 & s.131) Senior Building Surveyor - (s.18, s.20, s.21, s.24, s.27, s.55, s.58, s.60, s.62, s.65 & s.131)

2.2 Powers pursuant to the Building Act 2011	
	Customer Experience Officer – (s.65 & s.131) Customer Experience Officer – Planning Services - (s.65 & s.131) Senior Customer Experience Officer – (s.65 & s.131) Supervisor External Services Customer Experience – (s.65 & s.131) Administration Officer – Waste – (s.65 & s.131) Cadet Building Surveyor – (s.18, s.20, s.21, s.27, s.55, s.58, s.62, s.65 & s.131)
CEO Conditions	Nil
Compliance Links	*Building Regulations 2012*

DELEGATION ADMINISTRATION	
Decision Reference	**Decision Reference**
1. Adopted – July 2012, Resolution # O0712-065	9. Amended – May 2021, Resolution #O0521-147
2. Reviewed – May 2015, Resolution # O0515-026	10. Amended – May 2022, Resolution #O0522-112
3. Reviewed – July 2015, Resolution #O0715-017	11. Amended – June 2023, Resolution #O0623-117
4. Reviewed – July 2016, Resolution # O0716-032	12. Reviewed – May 2024, Resolution #O0524-059
5. Reviewed – June 2017 Resolution #O0617-133	13. Amended – May 2025, Resolution #O0525-089
6. Reviewed – May 2018, Resolution #O0518-098	14. Amended – July 2026, Resolution #O0726-094
7. Amended – June 2019: Resolution # O0619-120	15.
8.. Reviewed – May 2020, Resolution #O0520-148	16.

PART 3 *PUBLIC HEALTH ACT 2016*

3.1 Appointment of Environmental Health Officer (s.17)	
Function Delegated	Authority to appoint suitably qualified employees as Environmental Health Officers
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power being Delegated	*Public Health Act 2016* s.17 – Appointment of Environmental Health Officers
Power originally assigned to	Local Government
Power to Delegate	*Public Health Act 2016* s.21 – Enforcement agency may delegate
Power Delegated to	Chief Executive Officer
Council Conditions	Nil
Power to Sub-Delegate	*Public Health Act 2016* s.21 – Enforcement agency may delegate **CEO has elected to not sub-delegate this role**
Sub-Delegated To	N/A
CEO Conditions	N/A
Compliance Links	*Public Health Act 2016* s.18 - Chief Health Officer to approve qualifications and experience required by environmental health officers

DELEGATION ADMINISTRATION	
Decision Reference	**Decision Reference**
1. Reviewed – July 2017 Resolution # O0717-161	7. Reviewed – June 2023, Resolution #O0623-117
2. Reviewed – May 2018 Resolution # O0518-098	8. Reviewed – May 2024, Resolution #O0524-059
3. Amended – June 2019: Resolution # O0619-120	9. Reviewed – May 2025, Resolution #O0525-089
4. Amended – May 2020, Resolution #O0520-148	10. Reviewed – July 2026, Resolution #O0726-094
5. Reviewed – May 2021, Resolution #O0521-147	11.
6. Reviewed – May 2022, Resolution #O0522-112	12.

3.2 Designation of Authorised Officers (s.24)

Function Delegated	Authority to designate a person or class of persons as authorised officers under the *Public Health Act 2016*.
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power being Delegated	*Public Health Act 2016* s.24 – Designation of authorised officers
Power originally assigned to	Local Government
Power to Delegate	*Public Health Act 2016* s.21 – Enforcement agency may delegate
Power Delegated to	Chief Executive Officer
Council Conditions	Nil
Power to Sub-Delegate	*Public Health Act 2016* s.21 – Enforcement agency may delegate **CEO has elected to not sub-delegate this role**
Sub-Delegated To	N/A
CEO Conditions	N/A
Compliance Links	*Public Health Act 2016* s.25 - Certain authorised officers required to have qualifications and experience. s.26 - Further provisions relating to designations s.27 - Lists of authorised officers to be maintained s.28 - When designation as authorised officer ceases s.29 - Chief Health Officer may issue guidelines about qualifications and experience of authorised officers s.30 - Certificates of authority s.31 - Issuing and production of certificate of authority for purposes of other written laws s.32 - Certificate of authority to be returned. s.136 - Authorised officer to produce evidence of authority

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Reviewed – July 2017 Resolution # O0717-161	6. Reviewed – May 2022, Resolution #O0522-112

3.2 Designation of Authorised Officers (s.24)

2.	Reviewed – May 2018 Resolution # O0518-098	7.	Reviewed – June 2023, Resolution #O0623-117
3.	Amended – June 2019: Resolution # O0619-120	8.	Reviewed – May 2024, Resolution #O0524-059
4.	Amended – May 2020, Resolution #O0520-148	9.	Reviewed – May 2025, Resolution #O0525-089
5.	Reviewed – May 2021, Resolution #O0521-147	10.	Reviewed – July 2026, Resolution #O0726-094

PART 4 *PLANNING AND DEVELOPMENT ACT 2005*

4.1 General Administration Powers

Function Delegated	Unless the specific power may only be exercised by the Council itself (or is not permitted to be delegated under the provisions of the *Local Government Act 1995*), the Council hereby delegates authority under Clause 82 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* to the Chief Executive Officer[1] to administer the Scheme and exercise discretionary powers to conditionally or unconditionally approve (or recommend approval for) the following subject to the delegate/s actions being in accordance with the *Planning and Development Act 2005* , the Local Planning Scheme No. 24, the Acceptable Development requirements of the Residential Design Codes and variations that satisfy the Objectives and Performance Criteria of the Codes, State Planning Policies, relevant Local Laws and adopted Planning Strategies or Policies: a) For development[2] and land use applications: • where advertising is not necessary; • for which advertising is necessary and there are no objections; • for single house developments which advertising is necessary and there are objections[3]; • for which advertising is necessary and any comments can be resolved through negotiation with the applicant or appropriately conditioned on the planning consent; • for which advertising is necessary and objections are received which are determined to be frivolous or vexatious by the Chief Executive Officer; • for which comments have been sought from any Government instrumentalities and those recommendations have been satisfactorily addressed or appropriately conditioned on the planning consent. b) Unless the specific power may only be exercised by the Council itself (or is not permitted to be delegated under the provisions of the *Local Government Act 1995*), the Council hereby delegates authority under Clause 82 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* to the Chief Executive Officer[4] to administer the Scheme and exercise discretionary powers to refuse (or recommend refusal for) the following subject to the delegate/s actions being in accordance with the *Planning and Development Act 2005*, the Local Planning Scheme No. 24, the Acceptable Development requirements of the Residential Design Codes, State Planning Policies and variations that satisfy the Objectives and Performance Criteria of the Codes, relevant Local Laws and adopted Planning Strategies or Policies:

[1] A list of delegated authority approvals for development and subdivision applications is to be included in each monthly agenda of the Ordinary Council Meeting.

[2] The *Planning and Development Act 2005* (as amended) defines 'development' as follows:

'development' means the development or use of any land, including—

(a) any demolition, erection, construction, alteration of or addition to any building or structure on the land;

(b) the carrying out on the land of any excavation or other works;

(c) in the case of a place to which a Conservation Order made under section 59 of the *Heritage of Western Australia Act 1990* applies, any act or thing that—

(i) is likely to change the character of that place or the external appearance of any building; or

(ii) would constitute an irreversible alteration of the fabric of any building;

[3] Effective from 1 July 2024

[4] A list of delegated authority approvals for development and subdivision applications is to be included in each monthly agenda of the Ordinary Council Meeting.

4.1 General Administration Powers

- Where a planning application is received that is classified as "X' or non-permitted under the provisions of Local Planning Scheme No. 24.
- Where a request for further information has not been responded to in accordance with the Shire's Refusal of Planning Applications policy.
- Where a planning application is received that is not mentioned in the Zoning and Land Use Table and is not consistent with the objectives of the particular zone.
- Where a planning application is received that is not consistent with an adopted Local Planning Policy.
- Where a planning application is received that is not consistent with a Scheme provision.
- Where a single house has valid objections in the 'Rural Residential' 'rural Townsite', 'Tourism' or 'Private Clubs, Institutions and Places of Worship' zones[5];
- Where comments have been sought from any Government instrumentality and those recommendations cannot been satisfactorily addressed or appropriately conditioned on the planning consent.

c) Commence advertising of any proposal where so required by the Local Planning Scheme No. 24 or other related legislation and inform or consult with any affected person or statutory authority prior to the application being determined by or on behalf of Council.

d) Development on reserved land that is consistent with the gazetted purpose of the reserve, the Local Planning Scheme No. 24 and leasing arrangements subject to prior consultation with the reserve manager or the Crown if not under Council control.

e) Concurrently advertise and subsequently approve or renew planning applications for:

- extractive industries under the Local Planning Scheme No. 24 and Extractive Industries Local Law.[6]
- kennels under the Local Planning Scheme No. 24 and Dogs Local Law[7].

f) Make recommendations to the Western Australian Planning Commission (WAPC) for:

- approval of subdivisions, amalgamations, strata and survey-strata plans, and variations to such applications that comply with the Local Planning Scheme No. 24, any adopted Structure Plan and the adopted Local Planning Strategy;
- refusal of subdivisions, amalgamations, strata and survey strata plans, and variations to such applications that do not comply with the Local Planning Scheme No. 24, any adopted Structure Plan and the adopted Local Planning Strategy; and
- clearance of subdivision conditions that comply with the WAPC preliminary approval and Council's applicable development standards including authorization of receipt or refund of bonds, cash (includes cleared cheque) or bank guarantees for associated works.

[5] Effective from 1 July 2024

[6] Development Approval would normally be issued subject to a condition that an extractive industry licence be obtained under the Extractive Industries Local Law and renewed annually. Therefore, if the use is substantially commenced during the term of the initial planning consent, the use could be continued subject to annual renewal in accordance with the Local Laws.

[7] Development Approval would normally be issued subject to a condition that a kennel licence be obtained under the Dogs Local Law and renewed annually. Therefore, if the use is substantially commenced during the term of the initial planning consent, the use could be continued subject to annual renewal in accordance with the Local Laws.

4.1 General Administration Powers

g) Administer the State Planning Policies that are referenced into the Local Planning Scheme No. 24.

h) Determine that a revised plan is considered to contain modifications that are minor and do not amount to a significantly different proposal, do not breach any of the conditions of the approval and do not materially affect the decision given by, or on behalf of, Council or the WAPC.

i) Determine whether there is compelling evidence to warrant reconsideration of a Council decision whether the decision was made by, or on behalf of Council.

j) Amend or cancel development approval at the request of the owner.

k) Respond, defend and otherwise deal with legal proceedings arising from planning decisions made by, or on behalf of, Council[8].

l) Exercise discretion on behalf of Council to reach determination, where appropriate, of Appeals processed by mediation under the State Administrative Tribunal.

m) Exercise discretion on behalf of Council in relation to the Arbitration provisions of the Scheme.

n) Make modifications to Scheme Amendments in accordance with directions from the Minister for Planning and Lands or the Western Australian Planning Commission.

o) Agree to accept management orders for reserves provided they have been created under Section 152 of the *Planning and Development Act 2005*.

p) Extend time for a planning consent when there has been no proposed change to the Local Planning Scheme No.24 or supporting planning strategies and policies that would affect the previous approval and any change to the proposed plans is relatively minor.

q) Comment on mineral exploration licenses.

r) Issue Liquor Licensing Act Section 40 Certificates regarding compliance with relevant planning laws.

s) Enter land or buildings for the purposes of administering the Local Planning Scheme No. 24 in accordance with Schedule 2, section 79 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

t) Allow appropriate selection of road names by developers from the Council/Geographic Names Committee approved reserved name list subject to developers being given the opportunity to submit alternative selections to Council

u) Determine that a use is consistent or not consistent with the objectives of a zone and determine an application under Section 18.(4) of the Local Planning Scheme No. 24.

v) Determine a cash-in-lieu payment for parking spaces in accordance with Schedule 1 Section 12.(b) of the Local Planning Scheme No. 24.

w) Issue a written direction under Section 214(2) of the *Planning and Development Act 2005* to any person undertaking a development that contravenes a Planning Scheme or planning Control Area requirements, to stop and not recommence, the

[8] Council to be kept informed of any actions that may entail legal representation in Court or in an insurance claim being made against Council.

4.1 General Administration Powers	
	development or part of the development that is undertaken in contravention of the planning scheme or planning control area requirements. x) Issue a written direction under Section 214(3) of the *Planning and Development Act 2005* if a development has been undertaken in contravention of a planning scheme or interim development order or in contravention of planning control area requirements; • to remove, pull down, take up, or alter the development; and • to restore the land as nearly as practicable to its condition immediately before the development started, to the satisfaction of the responsible authority.
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power being Delegated	*Local Government Act 1995* *Planning and Development Act 2005* *Planning and Development (Local Planning Schemes) Regulations 2015* Shire of Esperance Local Planning Scheme No 24 Shire of Esperance Extractive Industries Local Law Shire of Esperance Dogs Local Law
Power originally assigned to	Local Government
Power to Delegate	*Local Government Act 1995* s.5.42 – Delegation of some powers or duties to the CEO *Planning and Development (Local Planning Scheme) Regulations 2015* Schedule 2, Part 10, cl.82 Delegations by local government
Power Delegated to	Chief Executive Officer
Council Conditions	Nil
Power to Sub-Delegate	*Local Government Act 1995* s.5.44 – CEO may delegate some powers and duties to other employees *Planning and Development (Local Planning Scheme) Regulations 2015* Schedule 2, Part 10, cl.83 Local government CEO may delegate powers
Sub-Delegated to	Director External Services - (All sections) Manager Development Services - (All sections) Coordinator Building Services – (s) Coordinator Planning Services - (all sections) Planning Officer – (a, b, c, d, e, f, g, h, p, q, r, s) Coordinator Environmental Health – (s) Environmental Health Officer – (s) Cadet Environmental Health Officer – (s) Manager Ranger & Emergency Services – (s)

4.1 General Administration Powers

CEO Conditions	The power of a) is limited to conditionally or unconditionally approving development where the development is valued at $10,000,000 or less.
Compliance Links	Part 10 of Schedule 2, Planning and Development (Local Planning Scheme) Regulations 2015

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Amended– February 2011, Res # O0211-1575 & O0211-1573	12. Amended – May 2020, Resolution #O0520-148
2. Reviewed - April 2012, Resolution # AP0412-005	13. Amended – July 2020, Resolution #O0720-240
3. Reviewed - June 2013, Resolution # O0613-012	14. Amended – May 2021, Resolution #O0521-147
4. Reviewed – May 2015, Resolution # O0515-026	15. Amended – March 2022, Resolution #O0322-059
5. Amended – November 2015, Resolution # O1115-030	16. Reviewed – May 2022, Resolution #O0522-112
6. Reviewed – July 2016, Resolution # O0716-032	17. Amended – June 2023, Resolution #O0623-117
7. Reviewed – September 2016, Resolution # O0916-026	18. Reviewed – May 2018 Resolution # O0518-098
8. Reviewed – June 2017, Resolution #O0617-133	19. Amended – May 2024, Resolution #O0524-059
9. Amended– February 2011, Res # O0211-1575 & O0211-1573	20. Reviewed – May 2025, Resolution #O0525-089
10. Reviewed – May 2018 Resolution # O0518-098	21. Amended – July 2026, Resolution #O0726-094
11. Amended – June 2019: Resolution # O0619-120	22.

PART 5 *BUSH FIRES ACT 1954*

5.1 Appointment of Bush Fire Control Officers & Fire Weather Officers (s.38)	
Function Delegated	Authority to 1. Appoint persons to be Bush Fire Control Officers for the purposes of the *Bush Fires Act 1954*; and a. Of those Officers, appoint 2 as the Chief Bush Fire Control Officer and Deputy Chief Bush Fire Control Officer; and b. Determine the respective seniority of the other Bush Fire Officers so appointed. 2. Issue directions to a Bush Fire Control Officer to burn on or at the margins of a road reserve under the care, control and management of the Shire. 3. Appoint Fire Weather Officers, selected from senior Bush Fire Control Officers previously appointed and where more than one Fire Weather Officer is appointed, define a part of the District in which each Fire Weather Officer shall have exclusive right to exercise the powers of s.38(17). 4. Appoint deputy Fire Weather Officer/s as considered necessary and where two or more deputies are appointed, determine seniority.
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power being Delegated	*Bush Fires Act 1954* s.38 - Local government may appoint bush fire control officers.
Power originally assigned to	Local Government
Power to Delegate	*Bush Fires Act 1954* s.48 - Delegation by local governments
Power Delegated to	Chief Executive Officer
Council Conditions	The appointment is subject to the CEO being satisfied that the person to be authorised as a bush fire control officer has the appropriate qualifications and experience to perform the functions under the *Bush Fires Act 1954*.
Power to Sub-Delegate	Not applicable – Sub-delegation is prohibited by s.48 - Delegation by local governments
Sub-Delegated To	N/A
CEO Conditions	N/A
Compliance Links	*Bush Fire Brigades Local Law* Council Policy Fire Management – Roadside Burning Policy Bushfire Management Policy

5.1 Appointment of Bush Fire Control Officers & Fire Weather Officers (s.38)

DELEGATION ADMINISTRATION	
Decision Reference	**Decision Reference**
1. Adopted - Sept 2015, Resolution # O0915-024	7. Amended – May 2021, Resolution #O0521-147
2. Reviewed – July 2016, Resolution # O0716-032	8. Reviewed – May 2022, Resolution #O0522-112
3. Reviewed – June 2017 Resolution # O0617-133	9. Amended – June 2023, Resolution #O0623-117
4. Reviewed – May 2018, Resolution # O0518-098	10. Amended – May 2024, Resolution #O0524-059
5. Amended – June 2019: Resolution # O0619-120	11. Reviewed – May 2025, Resolution #O0525-089
6. Amended – May 2020, Resolution #O0520-148	12. Reviewed – July 2026, Resolution #O0726-094

5.2 Fire break maintenance (s.33)	
Function Delegated	Authority to a. Give written notice to an owner or occupier of land or all owners or occupiers of land within the District, requiring, to the satisfaction of the Shire: a. clearing of firebreaks as determined necessary and specified in the notice; and b. act in respect to anything which is on the land and is or is likely to be conducive to the outbreak of a bush fire or the spread or extension of a bush fire; and c. as a separate or coordinated action with any other person carry out similar actions. b. Direct a Bush Fire Control Officer or any other Officer to enter onto the land of an owner or occupier to carry out the requisitions of the notice which have not been complied with, with such servants, workmen, or contractors, and with such vehicles, machinery, appliances as he deems fit, and may do such acts, matters and things as may be necessary to carry out the requisitions of the notice. c. Recover any costs and expenses incurred in doing the acts, matters or things required to carry out the requisitions of the notice.
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power being Delegated	*Bush Fires Act 1954* s.33 – Local Government may require occupier of land to plough or clear fire-break
Power originally assigned to	Local Government
Power to Delegate	*Bush Fires Act 1954* s.48 - Delegation by local governments
Power Delegated to	Chief Executive Officer
Council Conditions	1. Written direction is to be given to a Bush Fire Control Officer or any other employee to enter onto the land of an owner or occupier to carry out the requisitions of the notice which have not been complied with. 2. The Bush Fire Control Officer or other Officer may, in pursuance of the direction, enter upon the land of the owner or occupier with such servants, workmen or contractors, and with such vehicles, machinery, and appliances as he deems fit, and may do such acts, matter and things as may be necessary to carry out the requisitions of the notice.
Power to Sub-Delegate	Not applicable – Sub-delegation is prohibited by s.48 - Delegation by local governments
Sub-Delegated to	N/A
CEO Conditions	N/A
Compliance Links	Council Policy Fire Management – Roadside Burning Policy Bushfire Management Policy Annual Firebreaks Notice

5.2 Fire break maintenance (s.33)

DELEGATION ADMINISTRATION	
Decision Reference	**Decision Reference**
1. Adopted - Sept 2015, Resolution # O0915-024	8. Amended – May 2020, Resolution #O0520-148
2. Reviewed – July 2016, Resolution # O0716-032	9. Reviewed – May 2021, Resolution #O0521-147
3. Reviewed – Sept 2016, Resolution #O0916-026	10. Reviewed – May 2022, Resolution #O0522-112
4. Reviewed – February 2017, Resolution #O0217-032	11. Amended – June 2023, Resolution #O0623-117
5. Reviewed – June 2017 Resolution # O0617-133	12. Amended – May 2024, Resolution #O0524-059
6. Reviewed – May 2018, Resolution # O0518-098	13. Reviewed – May 2025, Resolution #O0525-089
7. Reviewed – May 2018, Resolution # O0518-098	14. Reviewed – July 2026, Resolution #O0726-094

Direct Council to Authorised Officer Delegation.
Council Resolution required.

5.3 Offences and infringements (s.59 & s.59A)

Function Delegated	Authority to a. Institute and carry on proceedings against a person for an offence alleged to be committed against this Act. b. Serve an infringement notice for an offence against this Act.	
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.		
Power being Delegated	*Bush Fires Act 1954* s.59 - Prosecution of offences s.59A - Alternative procedure – infringement notices	
Power originally assigned to	Local Government	
Power to Delegate	*Bush Fires Act 1954* s.48 - Delegation by local governments	
Power Delegated to	Coordinator Ranger Services Shire Ranger Chief Executive Officer	Director External Services Manager Ranger & Emergency Services Community Emergency Services Manager
Council Conditions	Nil	
Power to Sub-Delegate	Not applicable – Sub-delegation is prohibited by s.48 - Delegation by local governments	
Sub-Delegated to	N/A	
CEO Conditions	N/A	
Compliance Links	*Bush Fires (Infringements) Regulations 1978* Council Policy Fire Management – Roadside Burning Policy Bushfire Management Policy	

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Adopted – June 2019: Resolution #O0619-120	6. Amended – August 2023, Resolution #O0823-149
2. Amended – May 2020, Resolution #O0520-148	7. Amended – November 2023, Resolution # O1123-190
3. Amended – May 2021, Resolution #O0521-147	8. Amended – May 2024, Resolution #O0524-059
4. Reviewed – May 2022, Resolution #O0522-112	9. Amended – May 2025, Resolution #O0525-089
5. Reviewed – June 2023, Resolution #O0623-117	10. Amended – July 2026, Resolution #O0726-094

5.4 Withdrawal of infringements (s.59A)

Function Delegated	Authority to withdraw an infringement notice for an offence against this Act.
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power being Delegated	*Bush Fires Act 1954* s.59A - Alternative procedure – infringement notices
Power originally assigned to	Local Government
Power to Delegate	*Bush Fires Act 1954* s.48 - Delegation by local governments
Power Delegated to	Chief Executive Officer
Council Conditions	Nil
Power to Sub-Delegate	Not applicable – Sub-delegation is prohibited by s.48 - Delegation by local governments
Sub-Delegated to	N/A
CEO Conditions	N/A
Compliance Links	*Bush Fires (Infringements) Regulations 1978* *Bush Fires Act 1954* - s.65 - Proof of certain matters s.66 - Proof of ownership or occupancy

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Adopted – June 2019: Resolution #O0619-120	5. Reviewed – June 2023, Resolution #O0623-117
2. Amended – May 2020, Resolution #O0520-148	6. Reviewed – May 2024, Resolution #O0524-059
3. Reviewed – May 2021, Resolution #O0521-147	7. Reviewed – May 2025, Resolution #O0525-089
4. Reviewed – May 2022, Resolution #O0522-112	8. Reviewed – July 2026, Resolution #O0726-094

5.5 Varying prohibited burning times (s.17)

Function Delegated	Joint authority, where seasonal conditions warrant it, to determine a variation of the prohibited burning times, after consultation with an authorised CALM Act officer if forest land is situated in the district.
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power being Delegated	*Bush Fires Act 1954:* s.17 - Prohibited burning times may be declared by Minister
Power originally assigned to	Local Government
Power to Delegate	*Bush Fires Act 1954* s.48 - Delegation by local governments s.17(10) – Prohibited burning times may be declared by Minister
Power Delegated to	Shire President and Chief Bush Fire Control Officer (jointly)
Council Conditions	1. Decisions under s.17(7) must be undertaken jointly by both the Shire President and the Chief Bush Fire Control Officer and must comply with the procedural requirements of s.17(7B) and (8). 2. The Community Emergency Services Manager must be consulted before a decision is made.
Power to Sub-Delegate	Not applicable – Sub-delegation is prohibited by s.48 - Delegation by local governments
Sub-Delegated to	N/A
CEO Conditions	N/A
Compliance Links	*Bush Fire Regulations 1954* r.15 - Permit to burn (Act s.18), form of and apply for after refusal etc. r.38C - Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times r.39B - Crop dusters etc., use of in restricted or prohibited burning times

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Adopted – February 2020: Resolution #O0220-049	5. Amended – June 2023, Resolution #O0623-117
2. Amended – May 2020, Resolution #O0520-148	6. Reviewed – May 2024, Resolution #O0524-059
3. Reviewed – May 2021, Resolution #O0521-147	7. Reviewed – May 2025, Resolution #O0525-089
4. Amended – May 2022, Resolution #O0522-112	8. Reviewed – July 2026, Resolution #O0726-094

PART 6 *FOOD ACT 2008*

6.1 Appoint Authorised Officers (s.122 & s.126)	
Function Delegated	Authority to 1. Appoint a person to be an authorised officer for the purposes of the *Food Act 2008.* 2. Appoint an Authorised Officer under s.122(1) of this Act or s.24(1) of the *Public Health Act 2016* to be a Designated Officer for the purposes of issuing Infringement Notices under *Food Act 2008.* and Appoint the Chief Executive Officer as an Authorised Officer to be a Designated Officer (who is prohibited by s.126(13) from also being a Designated Officer for the purpose of issuing infringements), for the purpose of extending the time for payment of modified penalties [s.126(6)] and determining withdrawal of an infringement notice [s.126(7).]
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power being Delegated	*Food Act 2008* s.122 Appointment of Authorised Officers s.126 Infringement Notices
Power originally assigned to	Local Government
Power to Delegate	*Food Act 2008* s.118 - Functions of enforcement agencies and delegation
Power Delegated to	Chief Executive Officer
Council Conditions	Nil
Power to Sub-Delegate	Nil - *Food Regulations 2009* do not provide for sub-delegation.
Sub-Delegated To	N/A
CEO Conditions	N/A
Compliance Links	*Food Act 2008* s.122 - Appointment of authorised officers s.123 - Certificates of authority Department of Health Guidelines: Appointment of Authorised Officers as Meat Inspectors Appointment of Authorised Officers Appointment of Authorised Officers – Designated Officers only (section 126)

6.1 Appoint Authorised Officers (s.122 & s.126)

	Appointment of Authorised Officers – Appointment of persons to assist with the discharge of duties of an authorised officer.

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Adopted - June 2013, Resolution # O0613-012	8. Reviewed – May 2021, Resolution #O0521-147
2. Reviewed – May 2015, Resolution # O0515-026	9. Amended – May 2022, Resolution #O0522-112
3. Reviewed – July 2016, Resolution # O0716-032	10. Amended – June 2023, Resolution #O0623-117
4. Reviewed – June 2017 Resolution # O0617-133	11. Reviewed – May 2024, Resolution #O0524-059
5. Reviewed – May 2018, Resolution # O0518-098	12. Amended – May 2025, Resolution #O0525-089
6. Amended – June 2019: Resolution #O0619-120	13. Reviewed – July 2026, Resolution #O0726-094
7. Amended – May 2020, Resolution #O0520-148	14.

6.2 Prohibition orders (s.65, s.66 & s.67)

Function Delegated	Authority to a. Serve a Prohibition order on the proprietor of a food business in accordance with s.65 of the *Food Act 2008.* b. Give a Certificate of clearance, where inspection demonstrates compliance with a Prohibition order and any Improvement Notices. c. Give written notice to proprietor of a food business on whom a Prohibition Order has been served of the decision not to give a certificate of clearance after an inspection.	
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.		
Power being Delegated	*Food Act 2008* s.65 - Prohibition order s.66 - Certificate of clearance to be given in certain circumstances s.67 - Request for re-inspection	
Power originally assigned to	Local Government	
Power to Delegate	*Food Act 2008* s.118 - Functions of enforcement agencies and delegation	
Power Delegated to	Chief Executive Officer Director External Services Manager Development Services	Coordinator Environmental Health Environmental Health Officer
Council Conditions	Nil	
Power to Sub-Delegate	Nil - *Food Regulations 2009* do not provide for sub-delegation.	
Sub-Delegated to	N/A	
CEO Conditions	N/A	
Compliance Links	*Food Act 2008* s.62 - Grounds for serving improvement notice s.63 - Improvement notice may require certain action to be taken *Food Regulations 2009* Department of Health *Food Act 2008* Regulatory Guideline No.1: Introduction of Regulatory Food Safety Auditing in WA Food Unit Fact Sheet 8: Guide to Regulatory Guideline No.1: WA Priority Classification System *Food Act 2008* Verification of Food Safety Program Guideline	

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Adopted - June 2013, Resolution # O0613-012	8. Amended – June 2019: Resolution #O0619-120

6.2 Prohibition orders (s.65, s.66 & s.67)

2.	Reviewed – May 2015, Resolution # O0515-026	11.	Amended – May 2022, Resolution #O0522-112
3.	Amended – March 2016, Resolution # O0316-023	12.	Reviewed – June 2023, Resolution #O0623-117
4.	Reviewed – July 2016, Resolution # O0716-032	13.	Amended – August 2023, Resolution #O0823-149
5.	Reviewed – Sept 2017, Resolution # O0916-026	14.	Amended – November 2023, Resolution # O1123-190
6.	Reviewed – June 2017 Resolution # O0617-133	15.	Reviewed – May 2024, Resolution #O0524-059
7.	Reviewed – May 2018, Resolution # O0518-098	16.	Amended – May 2025, Resolution #O0525-089
9.	Reviewed – May 2020, Resolution #O0520-148	17.	Amended – October 2025, Resolution O1025-026
10.	Reviewed – May 2021, Resolution #O0521-147	18.	Reviewed – July 2026, Resolution #O0726-094

6.3 Registration of food business (s.110 & s.112)

Function Delegated	Authority to a. Consider applications and determine registration of a food business and grant the application with or without conditions or refuse the registration. b. Vary the conditions or cancel the registration of a food business.	
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.		
Power being Delegated	*Food Act 2008* s.110 - Registration of food business s.112 - Variation of conditions or cancellation of registration of food businesses	
Power originally assigned to	Local Government	
Power to Delegate	*Food Act 2008* s.118 - Functions of enforcement agencies and delegation	
Power Delegated to	Chief Executive Officer Director External Services Manager Development Services	Coordinator Environmental Health Environmental Health Officer
Council Conditions	Nil	
Power to Sub-Delegate	Nil - *Food Regulations 2009* do not provide for sub-delegation.	
Sub-Delegated to	N/A	
CEO Conditions	N/A	
Compliance Links	*Food Act 2008* *Food Regulations 2009* Department of Health *Food Act 2008* Regulatory Guideline No.1: Introduction of Regulatory Food Safety Auditing in WA Food Unit Fact Sheet 8: Guide to Regulatory Guideline No.1: WA Priority Classification System *Food Act 2008* Verification of Food Safety Program Guideline	

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Adopted - June 2013, Resolution # O0613-012	10. Reviewed – May 2021, Resolution #O0521-147
2. Reviewed – May 2015, Resolution # O0515-026	11. Reviewed – May 2022, Resolution #O0522-112
3. Amended – March 2016 Resolution # O0316-023	12. Reviewed – June 2023, Resolution #O0623-117
4. Reviewed – July 2016, Resolution # O0716-032	13. Amended – August 2023, Resolution #O0823-149
5. Reviewed – Sept 2016, Resolution #O0916-026	14. Amended – November 2023, Resolution # O1123-190
6. Reviewed – June 2017 Resolution # O0617-133	15. Reviewed – May 2024, Resolution #O0524-059

6.3 Registration of food business (s.110 & s.112)

7. Reviewed – May 2018, Resolution # O0518-098	16. Reviewed – May 2025, Resolution #O0525-089
8. Amended – June 2019: Resolution #O0619-120	17. Amended – October 2025, Resolution O1025-026
9. Reviewed – May 2020, Resolution #O0520-148	18. Reviewed – July 2026, Resolution #O0726-094

6.4 Prosecutions (s.125)

Function Delegated	Authority to institute proceedings for an offence under the *Food Act 2008.*
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power being Delegated	*Food Act 2008* s.125 - Institution of proceedings
Power originally assigned to	Local Government
Power to Delegate	*Food Act 2008* s.118 - Functions of enforcement agencies and delegation
Power Delegated to	Chief Executive Officer
Council Conditions	Nil
Power to Sub-Delegate	Nil - *Food Regulations 2009* do not provide for sub-delegation.
Sub-Delegated to	N/A
CEO Conditions	N/A
Compliance Links	*Food Act 2008* *Food Regulations 2009* Department of Health Compliance and Enforcement Policy Department of Health CEO guidelines

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Adopted - June 2013, Resolution # O0613-012	8. Reviewed – May 2021, Resolution #O0521-147
2. Reviewed – May 2015, Resolution # O0515-026	9. Reviewed – May 2022, Resolution #O0522-112
3. Reviewed – July 2016, Resolution # O0716-032	10. Amended – June 2023, Resolution #O0623-117
4. Reviewed – June 2017 Resolution # O0617-133	11. Reviewed – May 2024, Resolution #O0524-059
5. Reviewed – May 2018, Resolution # O0518-098	12. Reviewed – May 2025, Resolution #O0525-089
6. Amended – June 2019: Resolution #O0619-120	13. Reviewed – July 2026, Resolution #O0726-094
7. Reviewed – May 2020, Resolution #O0520-148	14.

PART 7 *DOG ACT 1976*

7.1 Appoint Registration Officers (s.3)	
Function Delegated	Authority to Appoint Registration Officers to exercise the powers and duties conferred on a Registration Officer by this Act.
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power being Delegated	*Dog Act 1976* s.3 - Terms Used
Power originally assigned to	Local Government
Power to Delegate	*Dog Act 1976* s.10AA - Delegation of local government powers and duties
Power Delegated to	Chief Executive Officer
Council Conditions	Nil
Power to Sub-Delegate	*Dog Act 1976* s.10AA - Delegation of local government powers and duties **CEO has elected to not sub-delegate this role**
Sub-Delegated To	N/A
CEO Conditions	N/A
Compliance Links	*Dog Act 1976* s.3 - Terms used

DELEGATION ADMINISTRATION	
Decision Reference	**Decision Reference**
1. Adopted – June 2019: Resolution #O0619-120	5. Reviewed – June 2023, Resolution #O0623-117
2. Reviewed – May 2020, Resolution #O0520-148	6. Reviewed – May 2024, Resolution #O0524-059
3. Amended – May 2021, Resolution #O0521-147	7. Reviewed – May 2025, Resolution #O0525-089
4. Reviewed – May 2022, Resolution #O0522-112	8. Reviewed – July 2026, Resolution #O0726-094

7.2 Keeping of dogs (number of) (s.26)

Function Delegated	Authority to grant exemptions to the number of dogs that may be kept in or on premises.
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power being Delegated	*Dog Act 1976* s.26(3) – Limitation as to numbers
Power originally assigned to	Local Government
Power to Delegate	*Dog Act 1976* s.10AA – Delegation of local government powers and duties
Power Delegated to	Chief Executive Officer
Council Conditions	Nil
Power to Sub-Delegate	*Dog Act 1976* s.10AA – Delegation of local government powers and duties
Sub-Delegated to	Director External Services Manager Ranger & Emergency Services
CEO Conditions	Nil
Compliance Links	Dog Local Law cl 3.2 Limitation on the number of dogs

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Adopted - November 2014, Resolution # O1114-015	7. Amended – May 2021, Resolution #O0521-147
2. Reviewed – July 2016, Resolution # O0716-032	8. Reviewed – May 2022, Resolution #O0522-112
3. Reviewed – June 2017 Resolution # O0617-133	9. Amended – June 2023, Resolution #O0623-117
4. Reviewed – May 2018, Resolution # O0518-098	10. Amended – May 2024, Resolution #O0524-059
5. Amended – June 2019: Resolution #O0619-120	11. Reviewed – May 2025, Resolution #O0525-089
6. Amended – May 2020, Resolution #O0520-148	12. Amended – July 2026, Resolution #O0726-094

PART 8 *CAT ACT 2011*

8.1 Cat Registrations		
Function Delegated	Authority to a. grant, or refuse to grant, a cat registration or renewal of a cat registration [s.9(1)]. b. refuse to consider an application for registration or renewal where an applicant does not comply with a requirement to give any document or information required to determine the application [s.9(6)]. c. cancel a cat registration [s.10]. d. give the cat owner a new registration certificate or tag, if satisfied that the original has been stolen, lost, damaged or destroyed [s.11(2)]. e. reduce or waive a registration or approval to breed fee, in respect of any individual cat or any class of cats within the Shire of Esperance's District [Regs. Sch. 3 cl.1(4)].	
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.		
Power being Delegated	*Cat Act 2011* s.9 Registration s.10 Cancellation of registration s.11 Registration numbers, certificates and tags Cat Regulations 2012 Schedule 3, cl.1(4) Fees Payable	
Power originally assigned to	Local Government	
Power to Delegate	*Cat Act 2011* s.44 Delegation by local government	
Power Delegated to	Chief Executive Officer	
Council Conditions	Nil	
Power to Sub-Delegate	*Cat Act 2011* s.45 Delegation by CEO of local government	
Sub-Delegated to	Director External Services Coordinator Ranger Services Shire Ranger Customer Experience Officer Customer Experience Officer – Planning Services Senior Customer Experience Officer Administration Officer - Waste	Customer Service & Licensing Officer Supervisor External Service Customer Experience Manager Ranger & Emergency Services Finance Administrator
CEO Conditions	Nil	

8.1 Cat Registrations

Compliance Links	*Cat Regulations 2012* r.11 Application for registration (s.8(2)), prescribes the Form of applications for registration. r.12 Period of registration (s.9(7)) r.13 Changes in registration r.14 Registration certificate (s.11(1)(b)) r.15 Registration tags (s.76(2)) Decisions are subject to Objection and Review by the State Administration Tribunal rights – refer Part 4, Division 5 of the *Cat Act 2011*. Cat Local Law

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Adopted – June 2023, Resolution #O0623-117	5.
2. Amended – May 2024, Resolution #O0524-059	6.
3. Amended – May 2025, Resolution #O0525-089	7.
4. Amended – July 2026, Resolution #O0726-094	8.

8.2 Cat Control Notices (s.26)

Function Delegated	Authority to give a cat control notice to a person who is the owner of a cat ordinarily kept within the Shire of Esperance District	
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.		
Power being Delegated	*Cat Act 2011* s.26 Cat control notice may be given to cat owner	
Power originally assigned to	Local Government	
Power to Delegate	*Cat Act 2011* s.44 Delegation by local government	
Power Delegated to	Chief Executive Officer	
Council Conditions	Nil	
Power to Sub-Delegate	*Cat Act 2011* s.45 Delegation by CEO of local government	
Sub-Delegated to	Director External Services Manager Ranger & Emergency Services Coordinator Ranger Services Shire Ranger	Senior Customer Experience Officer Supervisor External Service Customer Experience Customer Experience Officer Customer Experience Officer – Planning Services Administration Officer - Waste
CEO Conditions	Nil	
Compliance Links	*Cat Regulations 2012* r.20 Cat control notice (s.26(2)(a)), prescribes the form of the notice Cat Local Law	

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Adopted – June 2023, Resolution #O0623-117	5.
2. Amended – May 2024, Resolution #O0524-059	6.
3. Reviewed – May 2025, Resolution #O0525-089	7.
4. Amended – July 2026, Resolution #O0726-094	8.

8.3 Recovery of Costs – Destruction of Cats (s.49)

Function Delegated	Authority to recover the amount of the costs associated with the destruction and the disposal of a cat.	
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.		
Power being Delegated	*Cat Act 2011* s.49(3) Authorised person may cause cat to be destroyed	
Power originally assigned to	Local Government	
Power to Delegate	*Cat Act 2011* s.44 Delegation by local government	
Power Delegated to	Chief Executive Officer	
Council Conditions	Nil	
Power to Sub-Delegate	*Cat Act 2011* s.45 Delegation by CEO of local government	
Sub-Delegated to	Director External Services Coordinator Ranger Services Shire Ranger	Customer Experience Officer Customer Experience Officer – Planning Services Senior Customer Experience Officer Supervisor External Service Customer Experience Administration Officer - Waste Manager Ranger & Emergency Services
CEO Conditions	Nil	
Compliance Links	Cat Local Law	

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Adopted – June 2023, Resolution #O0623-117	5.
2. Reviewed – May 2024, Resolution #O0524-059	6.
3. Amended – May 2025, Resolution #O0525-089	7.
4. Amended – July 2026, Resolution #O0726-094	8.

8.4 Prosecutions (s.73)

Function Delegated	Authority to commence a prosecution for an office against the *Cat Act 2011* or a local law.	
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.		
Power being Delegated	*Cat Act 2011* s.73(1)(b) & (2)(b) Prosecutions	
Power originally assigned to	Local Government	
Power to Delegate	*Cat Act 2011* s.44 Delegation by local government	
Power Delegated to	Chief Executive Officer	
Council Conditions	Nil	
Power to Sub-Delegate	*Cat Act 2011* s.45 Delegation by CEO of local government	
Sub-Delegated to	Director External Services Manager Ranger & Emergency Services	Coordinator Ranger Services Shire Ranger
CEO Conditions	Nil	
Compliance Links	Cat Local Law	

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Adopted – June 2023, Resolution #O0623-117	5.
2. Reviewed – May 2024, Resolution #O0524-059	6.
3. Amended – May 2025, Resolution #O0525-089	7.
4. Amended – July 2026, Resolution #O0726-094	8.

8.5 Cat Local Law 2024

Function Delegated	Authority to – 1. Give written notice to owner of the cat requiring that person to abate the nuisance. [cl.2.1(2)] 2. Provide written authorisation to allow a cat to be in a cat prohibited area. [cl.2.2(1)] 3. Refuse to determine an application for a permit. [cl.3.4] 4. Approve or refuse a permit application. [cl.3.6] 5. Revoke a permit. [cl.3.9]
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power being Delegated	Cat Local Law 2024 cl.2.1(2) Cat not to be a nuisance cl.2.2(1) Cat prohibited areas cl.3.4 Refusal to determine application cl.3.6 Decision on application cl.3.9 Revocation
Power originally assigned to	Local Government
Power to Delegate	*Cat Act 2011* s.44 Delegation by local government
Power Delegated to	Chief Executive Officer
Council Conditions	Nil
Power to Sub-Delegate	*Cat Act 2011* s.45 Delegation by CEO of local government
Sub-Delegated to	Director External Services Manager Ranger & Emergency Services Coordinator Ranger Services Shire Ranger
CEO Conditions	Nil
Compliance Links	Nil

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Adopted – May 2025, Resolution #O0525-089	4.
2. Amended – July 2026, Resolution #O0726-094	5.
3.	6.

PART 9 *LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960*

9.1 Establishing pounds and appointing poundkeepers and Rangers(s.449)	
Function Delegated	Authority to a. Establish pounds b. Appoint fit and proper persons to be pound keepers and Rangers
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power being Delegated	*Local Government (Miscellaneous Provisions) Act 1960* s.449 - Pounds, establishing; poundkeepers and rangers, appointing
Power originally assigned to	Local Government
Power to Delegate	*Local Government Act 1995* s.5.42 - Delegation of some powers or duties to the CEO s.5.43 - Limitations on delegations to the CEO
Power Delegated to	Chief Executive Officer
Council Conditions	Nil
Power to Sub-Delegate	*Local Government Act 1995* s.5.44 - CEO may delegate powers and duties to other employees
Sub-Delegated To	N/A
CEO Conditions	N/A
Compliance Links	*Local Government Act 1995* *Local Government (Miscellaneous Provisions) Act 1960 s.450*

DELEGATION ADMINISTRATION	
Decision Reference	**Decision Reference**
1. Adopted - June 2013, Resolution # O0613-012	8. Reviewed – May 2021, Resolution #O0521-147
2. Reviewed – May 2015, Resolution # O0515-026	9. Reviewed – May 2022, Resolution #O0522-112
3. Reviewed – July 2016, Resolution # O0716-032	10. Reviewed – June 2023, Resolution #O0623-117
4. Reviewed – June 2017 Resolution # O0617-133	11. Reviewed – May 2024, Resolution #O0524-059
5. Reviewed – May 2018, Resolution # O0518-098	12. Reviewed – May 2025, Resolution #O0525-089
6. Amended – June 2019: Resolution #O0619-120	13. Reviewed – July 2026, Resolution #O0726-094

9.1 Establishing pounds and appointing poundkeepers and Rangers(s.449)	
7. Amended – May 2020, Resolution #O0520-148	14.

PART 10 *LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996*

10.1 Payment of accounts (r.12)

Function Delegated	Authority to make payments from the municipal or trust funds.	
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.		
Power being Delegated	*Local Government (Financial Management) Regulations 1996* r.12 Payments from municipal fund or trust fund, restrictions on making	
Power originally assigned to	Local Government	
Power to Delegate	*Local Government Act 1995* s.5.42 - Delegation of some powers or duties to the CEO s.5.43 - Limitations on delegations to the CEO	
Power Delegated to	Chief Executive Officer	
Council Conditions	Nil	
Power to Sub-Delegate	*Local Government Act 1995* s.5.44 – CEO may delegate powers and duties to other employees	
Sub-Delegated to	Director Asset Management Director Corporate & Community Services	Director External Services Manager Financial Services
CEO Conditions	Nil	
Compliance Links	*Local Government (Financial Management) Regulations 1996* r.13 Payments from municipal fund or trust fund by CEO, CEO's duties as to etc. *Local Government Act 1995* s.6.5 – Accounts and records	

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Adopted - February 2004, Resolution # O0204-0769	9. Reviewed – May 2020, Resolution #O0520-148
2. Reviewed - February 2010, Resolution # O0210-1400	10. Reviewed – May 2021, Resolution #O0521-147
3. Reviewed - June 2013, Resolution # O0613-012	11. Reviewed – May 2022, Resolution #O0522-112
4. Reviewed – May 2015, Resolution # O0515-026	12. Amended – June 2023, Resolution #O0623-117
5. Reviewed – July 2016, Resolution # O0716-032	13. Reviewed – May 2024, Resolution #O0524-059
6. Reviewed – June 2017 Resolution # O0617-133	14. Reviewed – May 2025, Resolution #O0525-089
7. Reviewed – May 2018, Resolution # O0518-098	15. Reviewed – July 2026, Resolution #O0726-094
8. Amended – June 2019: Resolution #O0619-120	16.

PART 11 *LOCAL GOVERNMENT (UNIFORM LOCAL PROVISIONS) REGULATIONS 1996*

11.1 Permission to have gate across public thoroughfare (r.9)

Function Delegated	Authority to assess and approve applications to construct a gate or other device across a public thoroughfare managed by the Local Government, that enables motor traffic to pass across the public thoroughfare and prevents livestock from straying.
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power being Delegated	*Local Government (Uniform Local Provisions) Regulations 1996* r.9 - Permission to have gate across public thoroughfare — Sch. 9.1 cl. 5(1)
Power originally assigned to	Local Government
Power to Delegate	*Local Government Act 1995* s.5.42 - Delegation of some powers or duties to the CEO s.5.43 - Limitations on delegations to the CEO
Power Delegated to	Chief Executive Officer
Council Conditions	Nil
Power to Sub-Delegate	*Local Government Act 1995* s.5.44 – CEO may delegate powers and duties to other employees
Sub-Delegated to	Director Asset Management
CEO Conditions	Nil
Compliance Links	*Local Government Act 1995* s.9.60 Regulations that operate as local laws Sch.9.1 cl.5(1) Gates across public thoroughfares

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Adopted - June 2013, Resolution # O0613-012	8. Reviewed – May 2021, Resolution #O0521-147
2. Reviewed – May 2015, Resolution # O0515-026	9. Reviewed – May 2022, Resolution #O0522-112
3. Reviewed – July 2016, Resolution # O0716-032	10. Amended – June 2023, Resolution #O0623-117
4. Reviewed – June 2017 Resolution # O0617-133	11. Reviewed – May 2024, Resolution #O0524-059
5. Reviewed – May 2018, Resolution # O0518-098	12. Reviewed – May 2025, Resolution #O0525-089
6. Amended – June 2019: Resolution #O0619-120	13. Amended – July 2026, Resolution #O0726-094
7. Reviewed – May 2020, Resolution #O0520-148	14.

11.2 Private works on, over, or under public places (r.17)

Function Delegated	Authority to grant permission to construct anything on, over or under a public thoroughfare or other public place that is local government property.
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power being Delegated	*Local Government (Uniform Local Provisions) Regulations 1996* r.17 - Private works on, over, or under public places — Sch. 9.1 cl.8
Power originally assigned to	Local Government
Power to Delegate	*Local Government Act 1995* s.5.42 - Delegation of some powers or duties to the CEO s.5.43 - Limitations on delegations to the CEO
Power Delegated to	Chief Executive Officer
Council Conditions	Nil
Power to Sub-Delegate	*Local Government Act 1995* s.5.44 – CEO may delegate some powers and duties to other employees
Sub-Delegated to	Director Asset Management
CEO Conditions	Nil
Compliance Links	*Local Government Act 1995* s.9.60 - Regulations that operate as local laws Sch 9.1 cl.8 Private works on, over, or under public places

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Adopted - February 2004, Resolution # O0204-0769	9. Amended – June 2019: Resolution #O0619-120
2. Reviewed - February 2011, Resolution # O0211-1575	10. Reviewed – May 2020, Resolution #O0520-148
3. Reviewed - April 2012, Resolution # AP0412-005	11. Reviewed – May 2021, Resolution #O0521-147
4. Reviewed - June 2013, Resolution # O0613-012	12. Reviewed – May 2022, Resolution #O0522-112
5. Reviewed – May 2015, Resolution # O0515-026	13. Amended – June 2023, Resolution #O0623-117
6. Reviewed – July 2016, Resolution # O0716-032	14. Reviewed – May 2024, Resolution #O0524-059
7. Reviewed – June 2017 Resolution # O0617-133	15. Amended – May 2025, Resolution #O0525-089
8. Reviewed – May 2018, Resolution # O0518-098	16. Reviewed – July 2026, Resolution #O0726-094

11.3 Requirement to construct or repair crossing (r.13)

Function Delegated	Authority to a. Give notice to an owner or occupier of land requiring the person to construct or repair a crossing. b. Construct or repair the crossing if the person fails to comply with the notice, and recover 50% of the cost as a debt due from the person.
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power being Delegated	*Local Government (Uniform Local Provisions) Regulations 1996* r.13 - Requirement to construct or repair crossing — Sch. 9.1 cl. 7(3)
Power originally assigned to	Local Government
Power to Delegate	*Local Government Act 1995* s.5.42 - Delegation of some powers or duties to the CEO s.5.43 - Limitations on delegations to the CEO
Power Delegated to	Chief Executive Officer
Council Conditions	Nil
Power to Sub-Delegate	*Local Government Act 1995* s.5.44 – CEO may delegate some powers and duties to other employees
Sub-Delegated to	Director Asset Management
CEO Conditions	Nil
Compliance Links	*Local Government Act 1995* s.9.60(4) – Regulations that operate as local laws Schedule 9.1 cl 7 Crossing from public thoroughfare to private land or private thoroughfare Council Policy Crossover Construction Policy

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Adopted - February 2004, Resolution # O0204-0769	9. Amended – June 2019: Resolution #O0619-120
2. Reviewed - February 2011, Resolution # O0211-1575	10. Reviewed – May 2020, Resolution #O0520-148
3. Reviewed - April 2012, Resolution # AP0412-005	11. Reviewed – May 2021, Resolution #O0521-147
4. Reviewed - June 2013, Resolution # O0613-012	12. Reviewed – May 2022, Resolution #O0522-112
5. Reviewed – May 2015, Resolution # O0515-026	13. Amended – June 2023, Resolution #O0623-117
6. Reviewed – July 2016, Resolution # O0716-032	14. Amended – May 2024, Resolution #O0524-059
7. Reviewed – June 2017 Resolution # O0617-133	15. Reviewed – May 2025, Resolution #O0525-089
8. Reviewed – May 2018, Resolution # O0518-098	16. Amended – July 2026, Resolution #O0726-094

11.4 Dangerous excavation in or near public thoroughfare (r.11)	
Function Delegated	1. Authority to determine if an excavation in or on land adjoining a public thoroughfare is dangerous and take action to fill it in or fence it or request the owner / occupier in writing to fill in or securely fence the excavation [ULP r.11(1)]. 2. Authority to determine to give permission or refuse to give permission to make or make and leave an excavation in a public thoroughfare or land adjoining a public thoroughfare [ULP r.11(4)]. 3. Authority to impose conditions on granting permission [ULP r.11(6)]. 4. Authority to renew a permission granted or vary at any time, any condition imposed on a permission granted [ULP r.11(8)].
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power being Delegated	*Local Government (Uniform Local Provisions) Regulations 1996* r.11 – Dangerous excavation in or near public thoroughfare Sch. 9.1 cl. 6
Power originally assigned to	Local Government
Power to Delegate	*Local Government Act 1995* s.5.42 - Delegation of some powers or duties to the CEO s.5.43 - Limitations on delegations to the CEO
Power Delegated to	Chief Executive Officer
Council Conditions	a. Actions under this Delegation must comply with procedural requirements detailed in the *Local Government (Uniform Local Provisions) Regulations 1996*. b. Permission may only be granted where, the proponent has - i. Where appropriate, obtained written permission from or entered into a legal agreement with, each owner of adjoining or adjacent property which may be impacted by the proposed works. ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good the public assets at the completion of works. iii. Provided evidence of sufficient Public Liability Insurance. iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity
Power to Sub-Delegate	*Local Government Act 1995* s.5.44 – CEO may delegate some powers and duties to other employees
Sub-Delegated to	Director Asset Management Manager Asset Planning & Development
CEO Conditions	*Local Government Act 1995* Sch.9.1(6) Dangerous excavation in or near public thoroughfare
Compliance Links	*Local Government (Uniform Local Provisions) Regulations 1996* r.11 – Dangerous excavation in or near public thoroughfare Sch. 9.1 cl. 6
DELEGATION ADMINISTRATION	

11.4 Dangerous excavation in or near public thoroughfare (r.11)

Decision Reference	Decision Reference
1. Adopted – May 2021, Resolution #O0521-147	5. Reviewed – May 2025, Resolution #O0525-089
2. Amended – May 2022, Resolution #O0522-112	6. Amended – July 2026, Resolution #O0726-094
3. Amended – June 2023, Resolution #O0623-117	7.
4. Reviewed – May 2024, Resolution #O0524-059	8.

11.5 Obstruction of footpaths and thoroughfares (r.5, r.6, r.7A & r.7)	
Function Delegated	1. Authority to determine, by written notice served on a person who is carrying out plastering, painting or decorating operations (the work) over or near a footpath on land that is local government property, to require the person to cover the footpath during the period specified in the notice so as to - a. prevent damage to the footpath; or b. prevent inconvenience to the public or danger from falling materials [ULP r.5(2)]. 2. Authority to provide permission including imposing appropriate conditions or to refuse to provide permission, for a person to place on a specified part of a public thoroughfare one or more specified things that may obstruct the public thoroughfare. [ULP r.6(2) and (4)]. 3. Authority to renew permission to obstruct a thoroughfare and to vary any condition imposed on the permission effective at the time written notice is given to the person to whom permission is granted [ULP r.6(6)]. 4. Authority to require an owner or occupier of land to remove any thing that has fallen from the land or from anything on the land, which is obstructing a public thoroughfare [ULP r.7A]. 5. Authority to require an owner occupier of land to remove any part of a structure, tree or plant that is encroaching, without lawful authority on a public thoroughfare [ULP r.7].
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power being Delegated	*Local Government (Uniform Local Provisions) Regulations 1996* r.5(2) Interfering with, or taking from, local government land r.6 Obstruction of public thoroughfare by things placed and left - Sch. 9.1 cl. 3(1)(a) r.7A Obstruction of public thoroughfare by fallen things – Sch.9.1 cl.3(1)(b) r.7 Encroaching on public thoroughfare – Sch.9.1. cl.3(2)
Power originally assigned to	Local Government
Power to Delegate	*Local Government Act 1995* s.5.42 - Delegation of some powers or duties to the CEO s.5.43 - Limitations on delegations to the CEO
Power Delegated to	Chief Executive Officer
Council Conditions	a. Actions under this Delegation must comply with procedural requirements detailed in the *Local Government (Uniform Local Provisions) Regulations 1996*. b. Permission may only be granted where, the proponent has - i. Where appropriate, obtained written permission from each owner of adjoining or adjacent property which may be impacted by the proposed obstruction. ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good public assets damaged by the obstruction at the completion of works. iii. Provided evidence of sufficient Public Liability Insurance. iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.

11.5 Obstruction of footpaths and thoroughfares (r.5, r.6, r.7A & r.7)

Power to Sub-Delegate	*Local Government Act 1995* s.5.44 – CEO may delegate some powers and duties to other employees	
Sub-Delegated to	Director Asset Management Director External Services	Manager Asset Planning & Development Manager Ranger & Emergency Services
CEO Conditions	Nil	
Compliance Links	*Local Government Act 1995* Sch.9.1(3) Obstructing or encroaching on public thoroughfare Determination of Bond Value and Conditions are specified in Delegation 11.6 of the Delegated Authority Manual: Obstruction of public thoroughfare by things placed and left. Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the *Local Government Act 1995*.	

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Adopted – May 2021, Resolution #O0521-147	5. Amended – May 2025, Resolution #O0525-089
2. Amended – May 2022, Resolution #O0522-112	6. Amended – July 2026, Resolution #O0726-094
3. Amended – June 2023, Resolution #O0623-117	7.
4. Reviewed – May 2024, Resolution #O0524-059	8.

11.6 Obstruction of public thoroughfare by things placed and left (r.6)

Function Performed	When determining to grant permission to obstruct a public footpath or thoroughfare under Delegated Authority 12.5 - 1. Authority to determine the sum sufficient to cover the cost of repairing damage to the public thoroughfare resulting from the placement of a thing or a protective structure, on the basis that the local government may retain from that sum the amount required for the cost of repairs by the local government if the damage is not made good by the applicant [ULP r.6(4)(d)]]. 2. Authority to determine the requirements for protective structures, during such time as it is considered necessary for public safety and convenience [ULP r.6(5)(b). 3. Authority to determine and require in writing, that the person granted permission to obstruct a public thoroughfare repair damage caused by things placed on the thoroughfare and authority to determine if such repairs are to the satisfaction of the local government [ULP r.6(5)(d)].
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power being Delegated	*Local Government (Uniform Local Provisions) Regulations 1996* r.6 – Obstruction of public thoroughfare by things placed and left – Sch 9.1 cl 3(1)(a)
Power originally assigned to	Chief Executive Officer
Power to Delegate	*Local Government Act 1995* s.5.44 – CEO may delegate some powers and duties to other employees
Power Delegated to	Director Asset Management Director External Services Manager Asset Planning & Development Manager Ranger & Emergency Services
CEO Conditions	a. Decisions under this Delegation must be exercised in alignment with Council's Delegated Authority 12.5 Obstruction of Footpaths and Thoroughfares. b. Actions under this Delegation must comply with the procedural requirements detailed in the *Local Government (Uniform Local Provisions) Regulations 1996*.
Compliance Links	This delegated authority is effective only in alignment with Delegated Authority 11.5 Obstructions of Footpaths and Thoroughfares. Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the *Local Government Act 1995*

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Adopted – May 2021, Resolution #O0521-147	4. Reviewed – May 2024, Resolution #O0524-059
2. Reviewed – May 2022, Resolution #O0522-112	5. Amended – May 2025, Resolution #O0525-089
3. Amended – June 2023, Resolution #O0623-117	6. Reviewed – July 2026, Resolution #O0726-094

PART 12 *HEALTH (ASBESTOS) REGULATIONS 1992*

12.1 Appoint Authorised and Approved Officers (r.15D)

Function Appointed	Authority to: a. Appoint Officers as Authorised Officers for the purpose of the *Criminal Procedure Act 2004* to issue infringements under the *Health (Asbestos) Regulations 1992.* b. Manage infringements issued under the *Health (Asbestos) Regulations 1992* as an Approved Officer for the purpose of the *Criminal Procedure Act 2004.*
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power being Delegated	*Health (Asbestos) Regulations 1992* r.15D(5) – Infringement Notices
Power originally assigned to	Local Government
Power to Delegate	*Health (Asbestos) Regulations 1992* r.15D(7) – Infringement Notices
Power Delegated to	Chief Executive Officer
Council Conditions	Nil
Power to Sub-Delegate	Nil
Sub-Delegated To	N/A
CEO Conditions	N/A
Compliance Links	*Criminal Procedure Act 2004* Part 2 - Dealing with alleged offenders without prosecuting them

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Adopted – August 2019, Resolution #O0819-170	5. Amended – June 2023, Resolution #O0623-117
2. Reviewed – May 2020, Resolution #O0520-148	6. Reviewed – May 2024, Resolution #O0524-059
3. Reviewed – May 2021, Resolution #O0521-147	7. Reviewed – May 2025, Resolution #O0525-089
4. Reviewed – May 2022, Resolution #O0522-112	8. Amended – July 2026, Resolution #O0726-094

PART 13 *BUILDING REGULATIONS 2012*

13.1 Appoint Approved and Authorised Officers (r.70)	
Function Delegated	Authority to appoint - 1) Authorised Officers for the purpose of the *Criminal Procedure Act 2004* to issue infringements under the *Building Regulations 2012* 2) Approved Officers for the purpose of the *Criminal Procedure Act 2004* to withdraw infringements under the *Building Regulations 2012*.
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power being Delegated	*Building Regulations 2012* r.70(2) – Approved Officers and Authorised Officers
Power originally assigned to	Local Government
Power to Delegate	*Building Act 2011* s.127 Delegation: special permit authorities and local governments
Power Delegated to	Chief Executive Officer
Council Conditions	Officers authorised for this purpose must first be authorised under s.9.16 of the *Local Government Act 1995*.
Power to Sub-Delegate	N/A
Sub-Delegated To	N/A
CEO Conditions	N/A
Compliance Links	*Criminal Procedure Act 2004* Part 2 - Dealing with alleged offenders without prosecuting them s.6(a) s.6(b) *Local Government Act 1995* 9.10 - Appointment of authorised persons 9.16 - Notice, giving of to alleged offender 9.19 – Extension of time 9.20 – Withdrawal of notice
DELEGATION ADMINISTRATION	
Decision Reference	**Decision Reference**

13.1 Appoint Approved and Authorised Officers (r.70)

1. Adopted – May 2020, Resolution #O0520-148	5. Amended – June 2023, Resolution #O0623-117
2. Amended – May 2021, Resolution #O0521-147	6. Reviewed – May 2024, Resolution #O0524-059
3. Amended – May 2022, Resolution #O0522-112	7. Reviewed – May 2025, Resolution #O0525-089
4. Amended – August 2022, Resolution #O0822-186	8. Amended – July 2026, Resolution #O0726-094

PART 14 *LOCAL GOVERNMENT (MODEL CODE OF CONDUCT) REGULATIONS 2021*

14.1 Behaviour Complaints (cl. 14B(5))

Function Delegated	Authority to – 1. Provide advice or any other assistance to the Council, a Committee authorised under clause 14B(2) or a person authorised under clause 14B(3). [cl. 14B(5)] 2. Appoint an external investigator to deal with a complaint [cl. 14B(5)]
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power being Delegated	*Local Government Act 1995* s.5.104 Adoption of model code of conduct *Local Government (Model Code of Conduct) Regulations 2021*: Schedule 1 – Model Code of Conduct – Clause 14B(5)
Power originally assigned to	Local Government
Power to Delegate	*Local Government Act 1995* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Power Delegated to	Chief Executive Officer
Council Conditions	1. Authority includes the relevant powers and duties within the same clauses specified in the Code of Conduct for Council Members, Committee Members and Candidates adopted by Council in accordance with section 5.104(1) of the *Local Government Act 1995*. 2. Appointment of an external investigator must be in accordance with a resolution of Council authorising that person to perform the function of dealing with a complaint.
Power to Sub-Delegate	*Local Government Act 1995* s.5.44 CEO may delegate some powers and duties to other employees.
Sub-Delegated to	Director Corporate & Community Services
CEO Conditions	1. Authority includes the relevant powers and duties within the same clauses specified in the *Code of Conduct for Council Members, Committee Members and Candidates* adopted by Council in accordance with section 5.104(1) of the *Local Government Act 1995*. 2. Authority only extends to complaints lodged by the Chief Executive Officer. 3. Appointment of an external investigator must be in accordance with a resolution of Council authorising that person to perform the function of dealing with a complaint.
Compliance Links	Complaint Resolution and Investigation Policy Code of Conduct for Council Members, Committee Members and Candidates

DELEGATION ADMINISTRATION	
Decision Reference	**Decision Reference**

14.1 Behaviour Complaints (cl. 14B(5))

1. Adopted – May 2026, Resolution # O0526-101	5.
2. Amended – July 2026, Resolution #O0726-094	6.
3.	7.
4.	8.

AUTHORISATIONS

PART 1 *LOCAL GOVERNMENT ACT 1995*

1.1 Appointment of Authorised Persons to enter onto land (s.3.31(2))	
Powers and Duties of an Authorised Person	Officers are authorised to enter onto land, premises or thing, without consent of the owner/occupier, unless the owner/occupier objects. [s3.31(2)]
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power to Appoint	*Local Government Act 1995* s.3.31(2) General procedure for entering property
Appointment power originally assigned to	Local Government
Power to Delegate	*Local Government Act 1995* s.5.42 – Delegation of some powers and duties to the CEO s.5.43 – Limitations on delegations to the CEO
Appointment Power Delegated to	Chief Executive Officer
Authorised Officers	Director Asset Management Director Corporate & Community Services Director External Services Manager Development Services Coordinator Building Services Senior Building Surveyor Cadet Building Surveyor Coordinator Planning Services Planning Officer Coordinator Environmental Health Environmental Health Officer Cadet Environmental Health Officer Manager Ranger & Emergency ServicesCoordinator Ranger Services Shire Ranger Bushfire Risk Mitigation Coordinator
Conditions	Notice of entry must be provided under s.3.32 of the *Local Government Act 1995* prior to officers entering onto land, premises or thing.
Instrument of Appointment	Certificate of Appointment recommended. Identity Card recommended.

1.1 Appointment of Authorised Persons to enter onto land (s.3.31(2))

Compliance Links	*Local Government Act 1995* s.3.32 Notice of entry

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Adopted – July 2026, Resolution #O0726-094	7.
2.	8.
3.	9.
4.	10.
5.	11.
6.	12.

1.2 Appoint Authorised Persons (s.9.10)	
Powers and Duties of an Authorised Person	Officers are authorised for the purpose of fulfilling functions of an authorised person as follows – *Local Government Act 1995* – s.9.11 Persons found committing breach of Act to give name on demand s.9.13 Onus of proof in vehicle offences may be shifted s.9.15 Terms used s.9.16 Notice, giving of to alleged offender s.9.29 Representing local government in court *Parking & Parking Facilities Local Law 2025* cl.2.3 Parking prohibitions and restrictions cl.3.1 Restrictions on parking in particular areas cl.3.6 Authorised person may order vehicle on thoroughfare to be moved cl.3.7 Authorised person may mark tyres cl.3.12 Suspension of parking limitations for urgent, essential or official duties cl.7.1 Removal of notices on vehicle cl.7.7 Parking Areas not to be obstructed without a permit *Fencing Local Law 2001* cl.5.12 Persons to comply with signs and directions *Private Property Local Law 2003* cl.3.3 Tennis court floodlighting cl.4.3 Location of number not to be misleading *Activities in Thoroughfares and Public Places and Trading Local Law 2025* cl.3.12 Public liability insurance and indemnity cl.6.13 Cancellation of permit cl.6.20 Removal of facility unlawfully conducted cl.6.22 Temporary removal of facility may be requested cl.7.9 Production of permit *Waste Local Law 2025* cl.2.6 Direction to place or remove a receptacle cl.2.7 Duties of owner or occupier cl.2.8 Exemption cl.2.9 Damaging or removing receptacles cl.2.10 Verge collections cl.3.1 Duties of an owner or occupier cl.3.2 removal of waste from premises cl.3.3 Receptacles and containers for public use cl.4.3 Signs and directions cl.4.4 Fees and charges cl.4.5 Depositing waste *Local Government Property Local Law 2001* cl.3.11 Production of permit

1.2 Appoint Authorised Persons (s.9.10)	
	cl.3.16 Responsibilities of permit holder cl.5.1 When entry must be refused cl.5.12 Persons to comply with signs and directions cl.8.1 Authorised person to be obeyed cl.8.2 Persons may be directed to leave local government property
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power to Appoint	*Local Government Act 1995* s.9.10 – Appointment of authorised persons
Appointment power originally assigned to	Chief Executive Officer
Authorised Officers	Director Asset Management[2] Director Corporate & Community Services[2] Director External Services[1, 2] Manager Development Services[1, 2] Manager Financial Services Manager Recreation & Culture Coordinator Building Services[1] Senior Building Surveyor[1] Coordinator Planning Services[1] Planning Officer Customer Experience Officer Customer Experience Officer – Planning Services Supervisor External Services Customer Experience Senior Customer Experience Officer Administration Officer – Waste Coordinator Environmental Health[1] Environmental Health Officer[1] Cadet Environmental Health Officer Coordinator Ranger Services[1, 2] Shire Ranger[1, 2] Manager Ranger & Emergency Services[1, 2] Manager Sustainability and Resource Recovery[1] Technical Officer Waste, Sustainability and Resource Recovery[1]
Conditions	[1] Officers are appointed for the purpose of performing functions under s.9.16 of the *Local Government Act 1995* and may be appointed as "authorised officers" for the purpose of r.70(2) of the *Building Regulations 2012*. [2] Officers are appointed for the purpose of performing functions under s.9.29 of the *Local Government Act 1995.*

1.2 Appoint Authorised Persons (s.9.10)	
Instrument of Appointment	Certificate of Appointment required under s.9.10(1). Identity Card required under s.9.10(4).
Compliance Links	Nil

DELEGATION ADMINISTRATION	
Decision Reference	**Decision Reference**
1. Adopted – July 2026, Resolution #O0726-094	7.
2.	8.
3.	9.
4.	10.
5.	11.
6.	12.

PART 2 *BUILDING ACT 2011*

2.1 Appointment of Authorised Persons (s.96)	
Powers and Duties of an Authorised Person	Officers are appointed as authorised persons for the following purposes – *Building Act 2011* s.99 Limitation on powers of authorised person s.100 Entry powers s.101 Powers after entry for compliance purposes s.102 Obtaining information and documents s.103 Use of force and assistance s.106 Entry warrant to enter place s.109 Execution of warrant s.118(2) Permit authority may give effect to building order if non-compliance *Building Regulations 2012* r.53 Inspection of barrier to private swimming pool
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power to Appoint	*Building Act 2011* s.96 - Authorised Person *Building Regulations 2012* r.5A Authorised person (for purposes of s.93(2)(d))
Appointment power originally assigned to	Local Government
Power to Delegate	*Building Act 2011* s.127(6A) – Delegation: Special Permit Authorities and Local Governments
Appointment Power Delegated to	Chief Executive Officer
Authorised Officers	Director External Services Manager Development Services Coordinator Building Services Senior Building Surveyor
Conditions	Nil
Instrument of Appointment	Certificate of Appointment recommended Identity Card required under s.97.
Compliance Links	*Building Act 2011* s.97 - Identity cards

2.1 Appointment of Authorised Persons (s.96)

	s.99 – Limitations on powers of authorised person

DELEGATION ADMINISTRATION

Decision Reference		Decision Reference	
1.	Adopted – July 2012, Resolution # O0712-065	8.	Amended – May 2021, Resolution #O0521-147
2.	Reviewed – May 2015, Resolution # O0515-026	9.	Reviewed – May 2022, Resolution #O0522-112
3.	Reviewed – July 2016, Resolution # O0716-032	10.	Reviewed – June 2023, Resolution #O0623-117
4.	Reviewed – June 2017 Resolution # O0617-133	11.	Reviewed – May 2024, Resolution #O0524-059
5.	Reviewed – May 2018, Resolution # O0518-098	12.	Amended – May 2025, Resolution #O0525-089
6.	Amended – June 2019: Resolution # O0619-120	13.	Amended – July 2026, Resolution #O0726-094
7.	Reviewed – May 2020, Resolution #O0520-148	14.	

PART 3 *PUBLIC HEALTH ACT 2016*

3.1 Appointment of Environmental Health Officer (s.17)	
Powers and Duties of an Authorised Person	Officers are appointed as Environmental Health Officers.
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power to Appoint	*Public Health Act 2016* s.17 – Appointment of Environmental Health Officers
Appointment power originally assigned to	Local Government
Power to Delegate	*Public Health Act 2016* s.21 – Enforcement agency may delegate
Appointment Power Delegated to	Chief Executive Officer
Authorised Officers	Director External Services Manager Development Services Coordinator Environmental Health Environmental Health Officer
Conditions	Nil
Instrument of Appointment	Certificate of Appointment recommended. Identity Card recommended.
Compliance Links	*Public Health Act 2016* s.18 - Chief Health Officer to approve qualifications and experience required by environmental health officers Person to be appointed must have appropriate qualifications, training and experience in accordance with the Dept of Health Gazetted [GG. No.22 of 2017] and Guidelines [s.18 and s.29] – Department of Health – open the Public Health Act 2016 – forms and guidelines link

DELEGATION ADMINISTRATION	
Decision Reference	**Decision Reference**
1. Reviewed – July 2017 Resolution # O0717-161	7. Reviewed – June 2023, Resolution #O0623-117
2. Reviewed – May 2018 Resolution # O0518-098	8. Reviewed – May 2024, Resolution #O0524-059
3. Amended – June 2019: Resolution # O0619-120	9. Reviewed – May 2025, Resolution #O0525-089

3.1 Appointment of Environmental Health Officer (s.17)

4.	Amended – May 2020, Resolution #O0520-148	10.	Amended – October 2025, Resolution O1025-026
5.	Reviewed – May 2021, Resolution #O0521-147	11.	Amended – July 2026, Resolution #O0726-094
6.	Reviewed – May 2022, Resolution #O0522-112	12.	

3.2 Designation of Authorised Officers (s.24)	
Powers and Duties of an Authorised Person	Officers are designated as Authorised Officers under the *Public Health Act 2016* for the following purposes – *Public Health Act 2016* s.106 Enforcement of test orders s.107 Warrant to enforce test order s.124 Enforcement of public health orders s.125 Warrant to apprehend person to whom public health order applies s.133 Requiring information where person believed to have notifiable infectious disease s.134 Requiring information where person believed to have been exposed to notifiable infectious disease s.135 Requiring other persons to give required information s.152 Authorisation to exercise serious public health incident powers s.240 Powers of authorised s.259 Immediate destruction or disposal of things seized s.280 Commencement of proceedings s.312 Environmental health officers to be authorised officers for certain purposes *Public Health Regulations 2017* r.7 Authorised officers may request further information *Health (Miscellaneous Provisions) Act 1911* s.12 Powers of Chief Health Officer and authorised officers s.145 Authorised officer may order house or things to be cleansed s.181 Removal of offensive matter s.183 Immediate action in respect of nuisances s.358 Prosecution of offences *Health Local Law 2025* cl.2.5 Toilets cl.2.7 Maintenance of sanitary conveniences and fittings cl.2.12 Bathrooms cl.2.13 Laundries cl.2.14 Kitchens cl.3.1 Dwelling house maintenance cl.3.5 Ventilation cl.4.3 Disposal of liquid waste cl.4.6 Transport of butchers' waste cl.4.7 Suitable enclosure for waste receptacles cl.5.2 Public vehicles to be kept clean cl.5.4 Transportation, use and storage of offal, blood or other offensive material cl. 5.7 Storage of fertiliser and compost cl.5.8 Movement of commercial vehicles cl.5.11 Storage of vehicles, vessels and machinery

3.2 Designation of Authorised Officers (s.24)

	cl.5.12 Slaughter of animals cl. 5.15 Premises to be approved cl.5.20 Premises to be approved cl.5.21 Buffer distances for piggeries cl.5.23 Sties, enclosures or sheds cl.5.31 Limitation on numbers of bee hives cl.6.1 Unauthorised storage of materials cl.6.2 Removal of refuse and disused materials cl.6.5 Dust management cl.6.6 Burning of cleared vegetation on building or development site prohibited cl.6.7 Burning of rubbish, refuse or other material cl.7.1 Cleanliness cl.7.3 Animal and bird enclosures cl.7.6 Requirements for keeping approved animals cl.7.12 Limitation on numbers of pigeons, poultry and miscellaneous birds cl.7.13 Requirements for keeping poultry cl.7.14 Roosters, geese, turkeys, peafown, emu and ostrich cl.7.15 Requirements for keeping pigeons cl.7.16 Restrictions on pigeon nesting or perching cl.7.17 Restrictions on feeding wild birds cl.8.3 Measures to be taken to prevent breeding of mosquitos cl.8.7 Measures to be taken to keep premises free from European wasp nests cl.9.1 Requirements for an owner or occupier to clean, disinfect and disinfest cl.9.2 Authorised person may disinfect or disinfest premises cl.9.3 Insanitary dwelling houses, premises and things cl.9.4 Persons in contact with an infectious disease sufferer cl.9.5 Declaration of infected dwelling house or premises cl.9.6 Destruction of infected animals cl.9.7 Disposal of a body cl.9.8 Disposal of used condoms cl.10.2 Accommodation not to be kept unless registered cl.10.4 Determination of application cl.10.5 Suspension or recovation of registration of a lodging house cl.10.9 Laundry unit cl.10.10 Kitchen cl.10.11 Cooking facilities cl.10.17 Restriction on use of rooms for sleeping cl.10.18 Sleeping accommodation, short term hostels and recreational campsites cl.10.19 Furnishing etc. of sleeping apartments cl.10.20 Ventilation

3.2 Designation of Authorised Officers (s.24)	
	cl.10.21 Room identification cl.10.23 Register of lodgers cl.10.24 Keeper report cl.10.25 Certificate in respect of sleeping accommodation cl.10.26 Duplicate keys and inspection cl.10.27 Room occupancy cl.10.29 Cleaning and maintenance requirements cl.10.31 Approval for storage and consumption of food cl.10.32 Infectious disease cl.11.3 Alterations to premises cl.13.1 Application for licence cl.13.2 Decision on application for licence cl.13.3 General restructions on grant of licence cl.13.4 Examples of conditions cl.13.5 Imposing conditions under a policy cl.13.7 Variation of licence cl.13.9 Renewal of licence cl.13.10 Transfer of licence cl.13.11 Surrender of licence cl.13.12 Production of licence cl.13.13 Production of licence document for amendment cl.14.1 Notice to remedy non-compliance cl.14.2 Notice of proposed suspension of licence cl.14.3 Notice of suspension of licence cl.14.4 Notice of cancellation of suspension of licence cl.14.5 Notice of proposed revocation of licence cl.14.6 Notice of revocation of licence
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power to Appoint	*Public Health Act 2016* s.24 – Designation of authorised officers
Appointment power originally assigned to	Local Government
Power to Delegate	*Public Health Act 2016* s.21 – Enforcement agency may delegate

3.2 Designation of Authorised Officers (s.24)

Appointment Power Delegated to	Chief Executive Officer
Authorised Officers	Manager Development Services Coordinator Environmental Health Environmental Health Officer Cadet Environmental Health Officer
Conditions	Nil
Instrument of Appointment	Certificate of Appointment required under s.30. Identity Card required under s.31.
Compliance Links	*Public Health Act 2016* s.25 - Certain authorised officers required to have qualifications and experience. s.26 - Further provisions relating to designations s.27 - Lists of authorised officers to be maintained s.28 - When designation as authorised officer ceases s.29 - Chief Health Officer may issue guidelines about qualifications and experience of authorised officers s.30 - Certificates of authority s.31 - Issuing and production of certificate of authority for purposes of other written laws s.32 - Certificate of authority to be returned. s.136 - Authorised officer to produce evidence of authority

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Reviewed – July 2017 Resolution # O0717-161	7. Reviewed – June 2023, Resolution #O0623-117
2. Reviewed – May 2018 Resolution # O0518-098	8. Reviewed – May 2024, Resolution #O0524-059
3. Amended – June 2019: Resolution # O0619-120	9. Reviewed – May 2025, Resolution #O0525-089
4. Amended – May 2020, Resolution #O0520-148	10. Amended – October 2025, Resolution O1025-026
5. Reviewed – May 2021, Resolution #O0521-147	11. Amended – July 2026, Resolution #O0726-094
6. Reviewed – May 2022, Resolution #O0522-112	12.

PART 4 *PLANNING & DEVELOPMENT ACT 2005*

4.1 Issue infringement notices – Planning (s.228)	
Powers and Duties of an Authorised Person	Officers are appointed as Designated Person under the *Planning and Development Act 2005*, for the following purposes – *s.228 Giving of infringement notice* *s.229 Content of infringement notice* *s.230 Extending time to pay modified penalty* *s.231 Withdrawal of infringement notice*
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power to Appoint	*Planning and Development Act 2005* s.234 – Designated persons, appointment of
Power originally assigned to	Chief Executive Officer
Authorised Officers	Chief Executive Officer (s.228) Director External Services (s.229, s.230, s.231) Manager Development Services (s.228) Coordinator Planning Services (s.228)
Conditions	A person authorised to give infringement notices under s.228 is not eligible to be a designated person for the purposes of any other section.
Instrument of Appointment	Certificate of Appointment recommended. Identity Card not required.
Compliance Links	*Planning & Development Act 2005* s.234(2) Designated persons, appointment of

DELEGATION ADMINISTRATION

Decision Reference		Decision Reference	
1.	Adopted - June 2013, Resolution # O0613-012	7.	Reviewed – May 2022, Resolution #O0522-112
2.	Reviewed – May 2015, Resolution # O0515-026	8.	Reviewed – June 2023, Resolution #O0623-117
3.	Reviewed – July 2016, Resolution # O0716-032	9.	Reviewed – May 2024, Resolution #O0524-059
4.	Amended – June 2019: Resolution # O0619-120	10.	Reviewed – May 2025, Resolution #O0525-089
5.	Reviewed – May 2020, Resolution #O0520-148	11.	Amended – July 2026, Resolution #O0726-094
6.	Reviewed – May 2021, Resolution #O0521-147	12.	

PART 5 *BUSH FIRES ACT 1954*

5.1 Appointment of Bush Fire Control Officers & Fire Weather Officers (s.38)	
Powers and Duties of an Authorised Person	1. Officers are appointed as Bush Fire Control Officers [s.38(1)] for the following purposes – *Bush Fires Act 1954* s.14 Certain persons may enter land or building for purposes of Act s.18 Restricted burining times may be declared by FES Commissioner ((6) issue permit to burn) s.23 Burning during prohibited burning times ((2)(a)(i) issue permit to burn) s.34 Burning on Crown lands ((1AB) issue permit to burn) s.39 Special powers of bush fire control officers s.39A Duties of bush fire authorities on outbreak of fire s.44 Powers and authorities of officers of bush fire brigade s.45A Request to authorised CALM Act officers to take control of bush fires s.46 Bush fire control officer or forest officer may postpone lighting fire s.47 Fire-break not to be lit when bush fire burning s.56 Duties of police officers, bush fire control officers etc. *Bush Fires Regulations 1954* r.15 Permit to burn (Act s.18), form of and applying for after refusal etc. r.15A Bush fires control officer issuing permits to burn to comply with directions of local government r.15B Permit to burn holder, duties of r.21B Bush fire control officer may postpone clover burning r.24C Bans for r.24A(5A), imposing and duration of etc. r.38A Vehicles etc., power to prohibit etc. use of in restricted or prohibited burning times r.38B Equipment powered by internal combustion engine, power to prohibit operation of 2. Officers are appointed as Fire Weather Officers [s.38(8) & (10)] for the following purposes – *Bush Fires Act 1954* s.38 Local Government may appoint bush fire control officer – specific to Fire Weather Officer are sub-sections (17) and (18) s.39 Special powers of bush fire control officers
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power to Appoint	*Bush Fires Act 1954* s.38 - Local government may appoint bush fire control officers.

5.1 Appointment of Bush Fire Control Officers & Fire Weather Officers (s.38)	
Appointment power originally assigned to	Local Government
Power to Delegate	*Bush Fires Act 1954* s.48 - Delegation by local governments
Appointment Power Delegated to	Chief Executive Officer
Authorised Officers	Manager Ranger & Emergency Services Community Emergency Service Manager[1] Coordinator Ranger Services Shire Ranger Chief Bush Fire Control Officer[1] Deputy Chief Bush Fire Control Officer[1] Senior Bush Fire Control Officer - West Zone Senior Bush Fire Control Officer - West Coast Zone Senior Bush Fire Control Officer - North Zone Senior Bush Fire Control Officer - East Zone Senior Bush Fire Control Officer - East Coast Zone Senior Bush Fire Control Officer - Urban Rural Zone Deputy Senior Bush Fire Control Officer - West Zone Deputy Senior Bush Fire Control Officer - West Coast Zone Deputy Senior Bush Fire Control Officer - North Zone Deputy Senior Bush Fire Control Officer - East Zone Deputy Senior Bush Fire Control Officer - East Coast Zone Deputy Senior Bush Fire Control Officer - Urban Rural Zone Brigade Fire Control Officer Brigade Permit Issuing Officer
Conditions	The appointment is subject to the CEO being satisfied that the person to be authorised as a bush fire control officer has the appropriate qualifications and experience to perform the functions under the *Bush Fires Act 1954*. [1] Officer appointed as Fire Weather Officer in addition to Bush Fire Control Officer
Instrument of Appointment	Certificate of Appointment required under s.38(2E). Identity Card is not required.
Compliance Links	*Bush Fires Act 1954* s.38(2A) Bush Fire Control Officer appointments to be published in a newspaper circulating the district

5.1 Appointment of Bush Fire Control Officers & Fire Weather Officers (s.38)

	s.38(8) Fire Weather Officers must first be appointed as Bush Fire Control Officers s.38(13) FES Commissioner to be notified of Fire Weather Officer and Deputy Fire Weather Officer appointments. These appointments to be published in a newspaper circulating the district. s.39 Special powers of bush fire control officers *Bush Fire Brigades Local Law* Council Policy Fire Management – Roadside Burning Policy Bushfire Management Policy

DELEGATION ADMINISTRATION

Decision Reference		Decision Reference	
1.	Adopted - Sept 2015, Resolution # O0915-024	7.	Amended – May 2021, Resolution #O0521-147
2.	Reviewed – July 2016, Resolution # O0716-032	8.	Reviewed – May 2022, Resolution #O0522-112
3.	Reviewed – June 2017 Resolution # O0617-133	9.	Amended – June 2023, Resolution #O0623-117
4.	Reviewed – May 2018, Resolution # O0518-098	10.	Amended – May 2024, Resolution #O0524-059
5.	Amended – June 2019: Resolution # O0619-120	11.	Reviewed – May 2025, Resolution #O0525-089
6.	Amended – May 2020, Resolution #O0520-148	12.	Amended – July 2026, Resolution #O0726-094

PART 6 *FOOD ACT 2008*

6.1 Appoint Authorised Officers (s.122)	
Powers and Duties of an Authorised Person	Officers are appointed as Authorised Officers for the purposes stated within s.38 of the *Food Act 2008.*
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power to Appoint	*Food Act 2008* s.8 Terms used s.122 Appointment of Authorised Officers
Appointment power originally assigned to	Local Government
Power to Delegate	*Food Act 2008* s.118 - Functions of enforcement agencies and delegation
Appointment Power Delegated to	Chief Executive Officer
Authorised Officers	Director External Services Manager Development Services Coordinator Environmental Health Environmental Health Officer
Conditions	Nil
Instrument of Appointment	Certificate of Appointment required under s.123. Identity Card not required.
Compliance Links	*Food Act 2008* s.122 - Appointment of authorised officers s.123 - Certificates of authority Department of Health Guidelines: Appointment of Authorised Officers as Meat Inspectors Appointment of Authorised Officers Appointment of Authorised Officers – Designated Officers only (section 126) Appointment of Authorised Officers – Appointment of persons to assist with the discharge of duties of an authorised officer.
DELEGATION ADMINISTRATION	
Decision Reference	**Decision Reference**

6.1 Appoint Authorised Officers (s.122)

1. Adopted - June 2013, Resolution # O0613-012	8. Reviewed – May 2021, Resolution #O0521-147
2. Reviewed – May 2015, Resolution # O0515-026	9. Amended – May 2022, Resolution #O0522-112
3. Reviewed – July 2016, Resolution # O0716-032	10. Amended – June 2023, Resolution #O0623-117
4. Reviewed – June 2017 Resolution # O0617-133	11. Reviewed – May 2024, Resolution #O0524-059
5. Reviewed – May 2018, Resolution # O0518-098	12. Amended – May 2025, Resolution #O0525-089
6. Amended – June 2019: Resolution #O0619-120	13. Amended – October 2025, Resolution O1025-026
7. Amended – May 2020, Resolution #O0520-148	14. Amended – July 2026, Resolution #O0726-094

6.2 Appoint Designated Officers (s.126)

Powers and Duties of an Authorised Person	Officers are appointed as Designated Officers for the purpose of issuing infringements under the *Food Act 2008*.
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power to Appoint	*Food Act 2008* s.126 Infringement Notices
Appointment power originally assigned to	Local Government
Power to Delegate	*Food Act 2008* s.118 - Functions of enforcement agencies and delegation
Appointment Power Delegated to	Chief Executive Officer
Authorised Officers	Director External Services Manager Development Services Coordinator Environmental Health Environmental Health Officer
Conditions	Officers must first be appointed as an 'authorised officer' before being appointed as a 'designated officer'. [s.126(1)] A person who is a designated officer for issuing infringements is not eligible to be a designated officer for the purposes of any other subsections. [s.126(13)]
Instrument of Appointment	Certificate of Appointment required under s.123. Identity Card not required.
Compliance Links	Department of Health Guidelines: Appointment of Authorised Officers – Designated Officers only (section 126)

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Adopted – July 2026, Resolution #O0726-094	5.
2.	6.
3.	7.
4.	8.

PART 7 *DOG ACT 1976*

7.1 Appoint Registration Officers (s.3)	
Powers and Duties of an Authorised Person	Officers are appointed as Registration Officers for the following purposes – *Dog Act 1976* s.12A Entry of premises s.16 Registration Procedure s.45 Evidentiary provisions *Dog Regulations 2013* r.20 *Application for registration, evidence for concessional rates*
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power to Appoint	*Dog Act 1976* s.3 - Terms Used
Appointment power originally assigned to	Local Government
Power to Delegate	*Dog Act 1976* s.10AA - Delegation of local government powers and duties
Appointment Power Delegated to	Chief Executive Officer
Authorised Officers	Manager Ranger & Emergency Services Coordinator Ranger Services Shire Ranger Supervisor External Service Customer Experience Senior Customer Experience Officer Customer Experience Officer Customer Experience Officer – Planning Services Administration Officer - Waste Customer Service & Licensing Officer Finance Administrator
Conditions	Nil
Instrument of Appointment	Certificate of Appointment required under s.11(3). Identity Card required under s.31 of the *Public Health Act 2016*.
Compliance Links	*Dog Act 1976* s.3 - Terms used

7.1 Appoint Registration Officers (s.3)

	Public Health Act 2016 s.31 Issuing and production of certificate of authority for the purposes of other written laws

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Adopted – June 2019: Resolution #O0619-120	5. Reviewed – June 2023, Resolution #O0623-117
2. Reviewed – May 2020, Resolution #O0520-148	6. Reviewed – May 2024, Resolution #O0524-059
3. Amended – May 2021, Resolution #O0521-147	7. Reviewed – May 2025, Resolution #O0525-089
4. Reviewed – May 2022, Resolution #O0522-112	8. Amended – July 2026, Resolution #O0726-094

7.2 Appoint Authorised Persons (s.3)	
Powers and Duties of an Authorised Person	Officers are authorised for the purpose of fulfilling functions of an authorised person as follows – *Dog Act 1976* – s.12A Entry of premises s.29 Power to seize dogs s.33E Individual dog may be declared to be dangerous dog (declared) s.33G Seizure and destruction s.38 Nuisance dogs s.39 Dogs causing injury or damage may be destroyed s.43A Name and address to be supplied s.47 Veterinary service expenses recoverable from local government Dog Regulations 2013 r.35 Dealing with alleged offenders without prosecuting them *Dog Local Law 2024* – cl.4.16 Inspection of kennel establishment cl.6.3 Issue of infringement notice cl.6.6 Withdrawal of infringement notice Schedule 2(n) Conditions of a licence for an approved kennel establishment
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power to Appoint	s.3 Terms used
Appointment power originally assigned to	Chief Executive Officer
Authorised Officers	Director External Services Coordinator Ranger Services Shire Ranger Manager Ranger & Emergency Services
Conditions	A person authorised to issue an infringement notice under clause 6.3 of the *Dog Local Law 2024* cannot sign or send a notice of withdrawal.
Instrument of Appointment	Certificate of Appointment required under s.9.10(1). Identity Card required under s.9.10(4).
Compliance Links	*Dog Act 1976* s.3 – Terms used *Public Health Act 2016* The certificate of appointment is subject to the *Public Health Act 2016* s.31 *Issuing and production of certificate of authority for purposes of other written laws*

7.2 Appoint Authorised Persons (s.3)

	Local Government Act 1995 s.9.10 Appointment of authorised persons

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Adopted – July 2026, Resolution #O0726-094	7.
2.	8.
3.	9.
4.	10.
5.	11.
6.	12.

PART 8 *CAT ACT 2011*

8.1 Appoint Authorised Persons (s.3)	
Powers and Duties of an Authorised Person	Officers are authorised for the purpose of fulfilling functions of an authorised person as follows – *Cat Act 2011* – s.27 Cats may be seized s.28 Disposing of seized cats s.49 Authorised person may cause a cat to be destroyed s.50 Persons found committing breach of Act to give name on demand s.51 Power to enter premises s.52 General powers of authorised person s.55 Grounds for search warrant s.56 Grounds for warrant to seize cat s.62 Giving an infringement notice *Cat Local Law 2024* – cl.2.1 Cat not to be a nuisance cl.2.2 Cat prohibited areas cl.3.11 Permit to be kept at the premises and available for view
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power to Appoint	s.3 Terms used
Appointment power originally assigned to	Chief Executive Officer
Authorised Officers	Director External Services Coordinator Ranger Services Shire Ranger Manager Ranger & Emergency Services
Conditions	Nil
Instrument of Appointment	Certificate of Appointment required under s.9.10(1). Identity Card required under s.9.10(4).
Compliance Links	*Cat Act 2011* s.45 – Delegation by CEO of local government s.45(6) – a power or duty under s.63, s.64 or s.65 cannot be delegated to an authorised person *Local Government Act 1995* s.9.10 Appointment of authorised persons

8.1 Appoint Authorised Persons (s.3)

DELEGATION ADMINISTRATION	
Decision Reference	**Decision Reference**
1. Adopted – July 2026, Resolution #O0726-094	7.
2.	8.
3.	9.
4.	10.
5.	11.
6.	12.

PART 9 *LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960*

9.1 Appointing poundkeepers and Rangers(s.449)	
Powers and Duties of an Authorised Person	Officers are appointed as Pound Keepers and Rangers under the *Local Government (Miscellaneous Provisions) Act 1960* for the following purposes – s.455 Pound book, information in and access to etc. s.458 Trespassing cattle, powers to impound etc. s.462 Fees etc. for impounded cattle (Sch. 3) s.465 Cattle to be restored to owner on payment or tender of amount claimed s.467 Poundkeeper's functions as to impounded cattle s.468 Impounded cattle, notice of to be displayed at pound s.469 Unclaimed impounded cattle, notice of to be given s.470 Service of s.469 notice, charges for s.471 Cattle to be released on payment of damages and poundkeeper's fees and charges s.472 Payment under protest where amount claimed deemed excessive s.473 Ranger's or trespass fees received by poundkeeper to be paid to ranger etc. s.474 Unclaimed impounded cattle, sale or disposal of etc. s.477 Fees etc. not recovered from sale of cattle etc., recovery of by poundkeeper s.479 Sale proceeds, application of
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power to Appoint	*Local Government (Miscellaneous Provisions) Act 1960* s.449 - Pounds, establishing; poundkeepers and rangers, appointing
Appointment power originally assigned to	Local Government
Power to Delegate	*Local Government Act 1995* s.5.42 - Delegation of some powers or duties to the CEO s.5.43 - Limitations on delegations to the CEO
Appointment Power Delegated to	Chief Executive Officer
Authorised Officers	Director External Services Manager Ranger & Emergency Services Coordinator Ranger Services Shire Ranger
Conditions	Nil

9.1 Appointing poundkeepers and Rangers(s.449)

Instrument of Appointment	Certificate of Appointment recommended. Identity Card not required.
Compliance Links	*Local Government Act 1995* *Local Government (Miscellaneous Provisions) Act 1960* s.450 local public notice required for establishment of a public pound, and appointment or removal of poundkeepers and rangers.

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Adopted - June 2013, Resolution # O0613-012	8. Reviewed – May 2021, Resolution #O0521-147
2. Reviewed – May 2015, Resolution # O0515-026	9. Reviewed – May 2022, Resolution #O0522-112
3. Reviewed – July 2016, Resolution # O0716-032	10. Reviewed – June 2023, Resolution #O0623-117
4. Reviewed – June 2017 Resolution # O0617-133	11. Reviewed – May 2024, Resolution #O0524-059
5. Reviewed – May 2018, Resolution # O0518-098	12. Reviewed – May 2025, Resolution #O0525-089
6. Amended – June 2019: Resolution #O0619-120	13. Amended – July 2026, Resolution #O0726-094
7. Amended – May 2020, Resolution #O0520-148	14.

PART 10 *HEALTH (MISCELLANEOUS PROVISIONS) ACT 1911*

10.1 Appointment of Deputies (s.26)

Powers and Duties of an Authorised Person	Officers are appointed as Deputies to carry out the powers and functions of the Local Government under the *Health (Miscellaneous Provisions) Act 1911* as follows – s.38 Local governments to report annually s.54 Power of local government to construct and maintain sewers s.62 Powers of local government in carrying out works s.66 Duty of local government where street broken up s.135 Dwellings unfit for habitation
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power to Appoint	*Health (Miscellaneous Provisions) Act 1911* s.26 - Powers of local government
Appointment power originally assigned to	Local Government
Power to Delegate	Nil
Appointment Power Delegated to	N/A
Authorised Officers	Chief Executive Officer Director External Services Manager Development Services Coordinator Environmental Health Environmental Health Officer
Conditions	Nil
Instrument of Appointment	Certificate of Appointment recommended. Identity Card not required.
Compliance Links	Nil

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Adopted – August 2019, Resolution #O0819-170	7. Amended – November 2023, Resolution # O1123-190
2. Amended – May 2020, Resolution #O0520-148	8. Amended – May 2024, Resolution #O0524-059
3. Reviewed – May 2021, Resolution #O0521-147	9. Amended – May 2025, Resolution #O0525-089
4. Reviewed – May 2022, Resolution #O0522-112	10. Amended – October 2025, Resolution O1025-026

10.1 Appointment of Deputies (s.26)

5. Amended – June 2023, Resolution #O0623-117	11. Amended – July 2026, Resolution #O0726-094
6. Amended – August 2023, Resolution #O0823-149	12.

PART 11 *HEALTH (ASBESTOS) REGULATIONS 1992*

11.1 Appoint Authorised Officers (r.15D)	
Powers and Duties of an Authorised Person	Officers are appointed as Authorised Officers for the purpose of the *Criminal Procedure Act 2004* to issue infringements under the *Health (Asbestos) Regulations 1992.*
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power to Appoint	*Health (Asbestos) Regulations 1992* r.15D(5) – Infringement Notices
Appointment power originally assigned to	Local Government
Power to Delegate	*Health (Asbestos) Regulations 1992* r.15D(7) – Infringement Notices
Appointment Power Delegated to	Chief Executive Officer
Authorised Officers	Manager Development Services Coordinator Environmental Health Environmental Health Officer
Conditions	Nil
Instrument of Appointment	Certificate of Appointment required under r.15D(6). Identity Card required under r.15D(6).
Compliance Links	*Criminal Procedure Act 2004* Part 2 - Dealing with alleged offenders without prosecuting them

DELEGATION ADMINISTRATION	
Decision Reference	**Decision Reference**
1. Adopted – August 2019, Resolution #O0819-170	6. Reviewed – May 2024, Resolution #O0524-059
2. Reviewed – May 2020, Resolution #O0520-148	7. Reviewed – May 2025, Resolution #O0525-089
3. Reviewed – May 2021, Resolution #O0521-147	8. Amended – October 2025, Resolution O1025-026
4. Reviewed – May 2022, Resolution #O0522-112	9. Amended – July 2026, Resolution #O0726-094
5. Amended – June 2023, Resolution #O0623-117	10.

PART 12 *BUILDING REGULATIONS 2012*

12.1 Appoint Authorised Officers (r.70)	
Powers and Duties of an Authorised Person	Officers are appointed as Authorised Officers for the purpose of s.6(b) of the *Criminal Procedure Act 2004* to issue infringements under the *Building Regulations 2012.*
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power to Appoint	*Building Regulations 2012* r.70(2) – Approved Officers and Authorised Officers
Appointment power originally assigned to	Local Government
Power to Delegate	*Building Act 2011* s.127 Delegation: special permit authorities and local governments
Appointment Power Delegated to	Chief Executive Officer
Authorised Officers	Manager Development Services Coordinator Building Services
Conditions	Officers authorised for this purpose must first be authorised under s.9.16 of the *Local Government Act 1995*. A person appointed as an Approved Officer cannot also be appointed as an Authorised Officer.
Instrument of Appointment	Certificate of Appointment required under r.70(3) Identity Card not required.
Compliance Links	*Criminal Procedure Act 2004* Part 2 - Dealing with alleged offenders without prosecuting them s.6(a) s.6(b) *Local Government Act 1995* 9.10 - Appointment of authorised persons 9.16 - Notice, giving of to alleged offender 9.19 – Extension of time 9.20 – Withdrawal of notice

DELEGATION ADMINISTRATION	
Decision Reference	**Decision Reference**
1. Adopted – May 2020, Resolution #O0520-148	5. Amended – June 2023, Resolution #O0623-117

12.1 Appoint Authorised Officers (r.70)

2. Amended – May 2021, Resolution #O0521-147	6. Reviewed – May 2024, Resolution #O0524-059
3. Amended – May 2022, Resolution #O0522-112	7. Reviewed – May 2025, Resolution #O0525-089
4. Amended – August 2022, Resolution #O0822-186	8. Amended – July 2026, Resolution #O0726-094

12.2 Appoint Approved Officers (r.70)

Powers and Duties of an Authorised Person	Officers are appointed as Approved Officers for the purpose of the *Criminal Procedure Act 2004* to withdraw infringements under the *Building Regulations 2012*
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power to Appoint	*Building Regulations 2012* r.70(1) – Approved Officers and Authorised Officers
Appointment power originally assigned to	Local Government
Power to Delegate	*Building Act 2011* s.127 Delegation: special permit authorities and local governments
Appointment Power Delegated to	Chief Executive Officer
Authorised Officers	Director External Services
Conditions	Officers authorised for this purpose must first be authorised under s.9.16 of the *Local Government Act 1995*. A person appointed as an Approved Officer cannot also be appointed as an Authorised Officer.
Instrument of Appointment	Certificate of Appointment required under r.70(3) Identity Card is not required.
Compliance Links	*Criminal Procedure Act 2004* Part 2 - Dealing with alleged offenders without prosecuting them s.6(a) s.6(b) *Local Government Act 1995* 9.10 - Appointment of authorised persons 9.16 - Notice, giving of to alleged offender 9.19 – Extension of time 9.20 – Withdrawal of notice

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Adopted – July 2026, Resolution #O0726-094	3.
2.	4.

PART 13 *FINES, PENALTIES AND INFRINGEMENT NOTICES ENFORCEMENT ACT 1994*

13.1 Registration of infringement notice (s.16 & s.22)	
Powers and Duties of an Authorised Person	Officers are appointed as Prosecuting Officers to register and withdraw infringements with the Fines and Enforcements Registry. s.16 – Registration of infringement notice: enforcement certificate s.22 – Prosecuting authority may withdraw proceedings
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power to appoint	*Fines, Penalties and Infringement Notices Enforcement Act 1994* s.13(2) & (3) – Approved prosecuting authorities and officers
Appointment power originally assigned to	Chief Executive Officer
Authorised Officers	Director External Services Coordinator Ranger Services Shire Ranger Customer Experience Officer Customer Experience Officer – Planning Services Senior Customer Experience Officer Supervisor External Service Customer Experience Administration Officer - Waste Manager Ranger & Emergency Services
Conditions	Authorised Prosecuting Officers must ensure they have written permission from the Chief Executive Officer before withdrawing proceedings in accordance with s.22 of the *Fines, Penalties and Infringement Notices Enforcement Act 1994*.
Instrument of Appointment	Certificate of Appointment recommended. Identity Card not required.
Compliance Links	*Fines, Penalties and Infringement Notices Enforcement Regulations 1994* r.11A – Giving documents to Registry by means of ECMS

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Adopted February 2021 – O0221-051	5. Amended – June 2023, Resolution #O0623-117
2. Amended – May 2021, Resolution #O0521-147	6. Reviewed – May 2024, Resolution #O0524-059
3. Amended – March 2022, Resolution #O0322-061	7. Amended – May 2025, Resolution #O0525-089
4. Amended – May 2022, Resolution #O0522-112	8. Amended – July 2026, Resolution #O0726-094

PART 14 *ROAD TRAFFIC (ADMINISTRATION) ACT 2008*

14.1 Request Information (s.14)	
Powers and Duties of an Authorised Person	Nominate Prescribed Persons to the CEO of the Public Authority for the purpose of requesting information on an ad hoc basis from the Department of Transport, Driver and Vehicle Services (DVS) and Release of Information (ROI) section via email. *Road Traffic (Administration) Act 2008* s.14 – Disclosure of information to prescribed persons
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power to Appoint	*Road Traffic (Administration) Regulations 2014* r.7(2)(n) – Disclosure of information to prescribed persons
Appointment Power originally assigned to	Chief Executive Officer
Authorised Officers	Director External Services Manager Ranger & Emergency Services Coordinator Ranger Services Shire Ranger
Conditions	The information disclosed to the nominated persons will only be used in connection with the administration of the Acts and Regulations specifically the: • *Local Government Act 1995;* • *Caravan Parks and Camping Grounds Act 1995;* • *Animal Welfare Act 2002;* • *Dog Act 1976;* • *Litter Act 1979;* • *Cat Act 2011;* • *Local Government (Miscellaneous Provisions) Act 1960; and* • *Bush Fires Act 1954.* Any information provided by the Department of Transport cannot be used for a purpose other than the authorised purpose for which it was disclosed.
Instrument of Appointment	Certificate of Appointment recommended. Identity Card not required.
Compliance Links	*Road Traffic (Administration) Act 2008* *Road Traffic (Administration) Regulations 2014* *Local Government Act 1995*

DELEGATION ADMINISTRATION	
Decision Reference	**Decision Reference**
1. Adopted - May 2015 #O0515-026	6. Amended – June 2023, Resolution #O0623-117
2. Reviewed – July 2016, Resolution # O0716-032	7. Reviewed – May 2024, Resolution #O0524-059
3. Reviewed – May 2020, Resolution #O0520-148	8. Amended – May 2025, Resolution #O0525-089

14.1 Request Information (s.14)

4.	Amended – May 2021, Resolution #O0521-147	9.	Amended – July 2026, Resolution #O0726-094
5.	Reviewed – May 2022, Resolution #O0522-112	10.	

PART 15 *LOCAL GOVERNMENT (DEVELOPMENT ASSESSMENT PANELS) REGULATIONS 2025*

15.1 Appoint Authorised Employees

Powers and Duties of an Authorised Person	Employees are appointed to perform a relevant DAP function for and on behalf of the local government, including preparation of responsible authority reports. *Local Government (Development Assessment Panels) Regulations 2025* r.5 Performance of a relevant DAP function
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power to Appoint	*Local Government Act 1995* s.6(1) Authorisation of employees
Appointment power originally assigned to	Chief Executive Officer
Authorised Officers	Director External Services Manager Development Services Coordinator Planning Services
Conditions	Nil
Instrument of Appointment	Certificate of Appointment recommended. Identity Card not required.
Compliance Links	*Local Government (Development Assessment Panels) Regulations 2025* r.6(3) Authorisation of employees There should always be at least 1 employee of the local government who has a general authorisation to perform the local government's relevant DAP functions

DELEGATION ADMINISTRATION

Decision Reference	Decision Reference
1. Adopted – August 2025	5.
2. Amended – July 2026, Resolution #O0726-094	6.
3.	7.
4.	8.

PART 16 *CARAVAN PARKS & CAMPING GROUNDS ACT 1995*

16.1 Appoint Authorised Persons (s.5)	
Powers and Duties of an Authorised Person	Officers are authorised for the purpose of fulfilling functions of an authorised person as follows – *Caravan Parks & Camping Grounds Act 1995* – s.18 Powers of entry s.21 Inspections and works specifications notices s.22 Legal proceedings to be taken by authorised person s.23 Infringement notices *Caravan Parks & Camping Grounds Regulations 1997* – r.7 Imposition of conditions on licence r.11 Camping other than at caravan park or camping ground r.12 Number of caravans on lot r.20 Use of overflow area r.30 Park homes r.32 Park home certificates r.34 Annexes r.36 Annexe certificate r.38 Change of use of park home or annexe r.39 Carports and pergola r.40B Manufactured homes and attachments r.40C Manufactures home certificates r.42 Licence to be of type referred to in Schedule 2 r.54 Temporary license r.55 Transfer of licence r.56 Neglected or abandoned caravans r.57 Caravans in dangerous condition r.59 Caravans that have been removed r.66 Local government register of licences
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power to Appoint	*Caravan Parks & Camping Grounds Act 1995* s.5 Terms used *Caravan Parks & Camping Grounds Regulations 1997* r.6 Performance of local government functions by authorised persons
Appointment power originally assigned to	Chief Executive Officer
Authorised Officers	Director External Services Manager Development Services Coordinator Planning Services Planning Officer

16.1 Appoint Authorised Persons (s.5)	
	Coordinator Environmental Health Environmental Health Officer Cadet Environmental Health Officer Coordinator Ranger Services Shire Ranger Manager Ranger & Emergency Services Manager Sustainability and Resource Recovery Technical Officer Waste, Sustainability and Resource Recovery
Conditions	A person appointed as an authorised person for the purposes of issuing infringement notices are prohibited from being appointed for the purposes of s.23(3), (5) or (7).
Instrument of Appointment	Certificate of Appointment required under s.9.10(1). Identity Card required under s.9.10(4).
Compliance Links	*Local Government Act 1995* s.9.10 Appointment of authorised persons

DELEGATION ADMINISTRATION	
Decision Reference	**Decision Reference**
1. Adopted – July 2026, Resolution #O0726-094	7.
2.	8.
3.	9.
4.	10.
5.	11.
6.	12.

PART 17 *CEMETERIES ACT 1986*

17.1 Appoint Authorised Persons (s.3)	
Powers and Duties of an Authorised Person	Officers are authorised for the purpose of fulfilling functions of an authorised person as follows – *Cemeteries Act 1986* – s.63 Infringement notice *Cemeteries Local Law 2024* cl.2.3 Right of holder cl.5.3 Vehicle entry restricted cl.5.5 Offenders may be ordered to leave cl.5.7 Disposal of ashes cl.6.1 Depth of graves cl.7.4 Operation of work cl.7.7 Unfinished work cl.7.10 Supervision cl.8.1 Animals cl.8.7 Obeying signs and directions cl.8.9 Entry cl.8.14 Removal from the Cemetery
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power to Appoint	s.3 Terms used
Appointment power originally assigned to	Chief Executive Officer
Authorised Officers	Director External Services Manager Development Services Manager Ranger & Emergency Services
Conditions	Authorised Persons must carry identity card at all times when performing functions under the Cemeteries Act and produce their identity card for inspection when required by a person to whom the authorise person is about to or has given an infringement notice.
Instrument of Appointment	Certificate of Appointment required under s.9.10(1). Identity Card required under s.9.10(4).
Compliance Links	*Cemeteries Act 1986* s.64(3) Authorised Persons *Local Government Act 1995* s.9.10 Appointment of authorised persons

17.1 Appoint Authorised Persons (s.3)

DELEGATION ADMINISTRATION	
Decision Reference	**Decision Reference**
1. Adopted – July 2026, Resolution #O0726-094	7.
2.	8.
3.	9.
4.	10.
5.	11.
6.	12.

PART 18 *CONTROL OF VEHICLES (OFF-ROAD AREAS) ACT 1978*

18.1 Appoint Authorised Persons (s.38(3))	
Powers and Duties of an Authorised Person	Officers are authorised for the purpose of fulfilling functions of an authorised person as follows – *Control of Vehicles (Off-Road Areas) Act 1978* – s. s.37 Infringement notices s.38 Authorised persons s.40 Prosecutions, who may commence *Control of Vehicles (Off-Road Areas) Regulations 1979* r.14 Authorised person may seize and take possession of number plates r.36 Endorsing or altering infringement notice an offence
This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.	
Power to Appoint	*Control of Vehicles (Off-Road Areas) Act 1978* s.38(3) Authorised Persons
Appointment power originally assigned to	Chief Executive Officer
Authorised Officers	Manager Ranger & Emergency Services
Conditions	Nil
Instrument of Appointment	Certificate of Appointment required under s.9.10(1). Identity Card required under s.9.10(4).
Compliance Links	*Local Government Act 1995* s.9.10 Appointment of authorised persons

DELEGATION ADMINISTRATION	
Decision Reference	**Decision Reference**
1. Adopted – July 2026, Resolution #O0726-094	7.
2.	8.
3.	9.
4.	10.
5.	11.
6.	12.