



City of Bayswater  
City of Bayswater Delegated Authority  
Register - February 2025

## REVIEW

<b>Reviewed by</b>	<b>Date approved</b>	<b>References</b>
Council	11 Dec 2018	Reviewed by Council at the OCM on 11 December 2018. item 10.3.1
Council	3 Dec 2019	Reviewed by Council at the OCM on 3 December 2019. Item 10.2.2
Council	24 Nov 2020	Reviewed by Council at the OCM on 24 November 2020. Item 10.2.6
Council	25 Jan 2022	Reviewed by Council at the OCM on 25 January 2022. Item.10. 2.8.
Council	6 Dec 2022	Reviewed by Council at the OCM 06 December 2022. Item 10.1.2.
Council	25 Jun 2024	Reviewed by Council at the OCM 25 June 2024. Item 10.1.4.

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## INTRODUCTION

### Introduction

#### Register of Delegation of Authority

Section 5.42 of the Local Government Act 1995 (the Act) allows for a local government to delegate to the Chief Executive Officer the exercise of any of its powers or the discharge of any of its duties under the Act (other than those under s5.43). The local government may also delegate the exercise of any of its powers to Committees pursuant to section 5.16, other than those under Section 5.17(1).

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

The Act allows for the Chief Executive Officer to delegate any of their powers to another employee, this must be done in writing. The Act allows for the Chief Executive Officer to place conditions on any delegations if required.

A register of delegations, being this document, relevant to the Chief Executive Officer and other employees is to be kept and reviewed at least once every financial year.

If a person is exercising a power or duty that they have been delegated, the Act requires them to keep necessary records to the exercise of the power or discharge of the duty. The written record is to contain:

- how the person exercised the power or discharged the duty;
- 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.

In addition to delegations made in accordance with the Local Government Act 1995, a number of delegations are also made to the Chief Executive Officer, or directly to other officers in some instances, in accordance with the provisions of other legislation.

The aim of the delegated authority register is to assist with improving the time taken to make decisions within the constraints established by the relevant legislation. This is consistent with the City's commitment to a strong customer service focus.

Each instrument of delegation describes the function being delegated and the relevant statutory reference which is the source of power for the exercise of the function. Also included is a reference to related documents such as policies of the Council which may provide guidance in the exercise of the delegation.

## Standard Conditions of all delegations

All delegations contained in this instrument are subject to the following standard conditions:

- All delegated authority shall be exercised -
  - In line with all laws and regulations in force in Western Australia.
  - In accordance with any budget authority where applicable.
  - In accordance with the City of Bayswater's relevant policies and local laws.
- Delegated authority cannot be exercised where a financial interest or interest affecting impartiality is disclosed.

In addition to covering delegations, the Local Government Act 1995 provides for 'acting through'. Section 5.45 of the Act states that in relation to delegations, nothing prevents a 'local government from performing any of its functions by acting through a person other than the CEO' or 'a CEO from performing any of his or her functions by acting through another person'.

The Act does not specifically define the meaning of the term 'acting through'. However, the key difference between a delegation and 'acting through' is that a delegate exercises the delegated decision making function in his or her own right. Where a person has no discretion in carrying out a function, then that function may be undertaken by another through the 'acting through' concept. Alternatively, where the decision allows for discretion on the part of the decision maker, then that function needs to be delegated for another person to have that authority.

For administrative purposes, a person may sign a letter on behalf of the CEO while, with delegated powers, the person would sign a letter in his or her own name, in accordance with the delegated authority. It is critical in understanding the types of functions that are appropriate for 'acting through' another person in preference to delegation. This can be demonstrated through the following example. In this case, the council gives the CEO the power to call tenders subject to certain cost parameters.

If that power is delegated, the CEO could call tenders if the CEO believed the cost parameters had been satisfied (even if the council's opinion was different to the CEO's opinion). However, under an 'acting through' arrangement, the CEO could only call tenders if the council was satisfied about the cost parameters.

## Background

This document is the new instrument of delegation, for the statutory powers and duties of Council formally delegated to the CEO, and replaces the instrument reviewed by Council on 25 January 2022.

## DELEGATIONS

## Building Act

<b>Delegation</b>	<b>BA-D01 Building Act 2011 Authorised Persons</b>
<b>Category</b>	Building Act
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority to designate a person employed by the local government as an authorised person for the purposes of the Building Act 2011 in relation to buildings and incidental structures located, or proposed to be located, in the district of the City of Bayswater (s96 <i>Building Act 2011</i> ).
<b>Delegates</b>	CEO
<b>Conditions</b>	Only a person employed by the local government under the <i>Local Government Act 1995</i> s5.36 can be designated an authorised person for the <i>Building Act 2011</i> .  The designation of an authorised person must be in writing
<b>Statutory framework</b>	<i>Building Act 2011:</i> <ul style="list-style-type: none"> <li>• s.96(3) Authorised persons</li> <li>• s.127 Delegation: special permit authorities and local governments</li> </ul> <i>Local Government Act 1995:</i> <ul style="list-style-type: none"> <li>• s.5.36 Local Government Employees</li> </ul>
<b>Policy</b>	Nil
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	OCM 12 September 2017 Agenda Item 11.3 ECM Ref: 3042153

<b>Delegation</b>	<b>BA-D02 Building Act 2011 Applications for building or demolition permits and Applications for occupancy permits and other certificates</b>
<b>Category</b>	Building Act
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	<p>Authority to approve or refuse to grant or modify building and demolition permit applications (Part 2- Division 2 of the <i>Building Act 2011</i>).</p> <p>Authority to approve or refuse to grant or modify occupancy permits, building approval certificates, certificates of building compliance, certificates of construction compliance and certificates of design compliance (Part 4 of the <i>Building Act 2011</i>).</p>
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Subdelegates</b>	Coordinator Statutory Building Director Community Services Manager Environmental Health and Statutory Building
<b>Statutory framework</b>	<p><i>Building Act 2011:</i></p> <ul style="list-style-type: none"> <li>• Part 2- Division 2 — Applications for building or demolition permits</li> <li>• Part 4- Occupancy permits and building approval certificates</li> <li>• Section 127 - Delegation special permit authorities and local governments</li> </ul> <p><i>Building Regulations 2012:</i></p> <ul style="list-style-type: none"> <li>• r.23 Application to extend time during which permit has effect</li> <li>• r.24 Extension of time during which permit has effect</li> <li>• r.26 Approval of new responsible person</li> </ul>
<b>Policy</b>	Nil
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	OCM 12 Sep 2017 Agenda Item 11.3 Amended OCM 14 Nov 2018 ECM Reference 3053376



<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
14 Oct 2021	Amended delegation	Added delegation BA-D02 Building Act 2011 Applications for Building or Demolition Permits and applications for Occupancy Permits and other certificates to amended position of Manager Environmental Health and Statutory Services.	Administrative Change
29 Oct 2021	Amended delegation	Added position of Manager Environmental Health and Statutory Building to subdelegates list. Removed position of Manager Environmental Health from subdelegates list.	Administrative Change

<b>Delegation</b>	<b>BA-D03 Building Act 2011 Making, Revoking and Enforcing Building Orders</b>
<b>Category</b>	Building Act
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority to make or revoke a building order and to give effect to a building order if non compliance occurs (Part 8 Division 5 of the <i>Building Act 2011</i> ).
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Subdelegates</b>	Director Community Services
<b>Statutory framework</b>	<p><i>Building Act 2011:</i></p> <ul style="list-style-type: none"> <li>• Part 8 - Division 5- Enforcement — Building orders</li> <li>• Part 9 - State Administrative Tribunal</li> <li>• Section 127 Delegations; special permit authorities and local governments</li> </ul>
<b>Policy</b>	Nil
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	OCM 12 Sep 2017 Agenda Item 11.3 Amended OCM 14 Nov 2017 ECM Reference 3053376

<b>Delegation</b>	<b>BA-D04 Building Act 2011 Commence a prosecution</b>
<b>Category</b>	Building Act
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority to commence a prosecution for an offence against this Act (Part 12, Division 1, of the <i>Building Act 2011</i> ).
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Subdelegates</b>	Coordinator Statutory Building Director Community Services Manager Environmental Health and Statutory Building
<b>Statutory framework</b>	<i>Building Act 2011</i> : <ul style="list-style-type: none"> <li>• Part 12 - Division 1- General provisions about legal proceedings</li> <li>• Section 127 Delegation- special permit authorities and local governments</li> </ul>
<b>Policy</b>	Nil
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	OCM 12 Sep 2017 Agenda Item 11.3 Amended OCM 14 Nov 2017 ECM Ref: 3053376

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
14 Oct 2021	Amended delegation	Added delegation BA-D04 Building Act 2011 Commerce a prosecution to amended position of Manager Environmental Health and Statutory Services.	Administrative Change
29 Oct 2021	Amended delegation	Added position of Manager Environmental Health and Statutory Building to subdelegates list. Removed position of Manager Environmental Health from subdelegates list.	Administrative Change

<b>Delegation</b>	<b>BA-D05 Building Act 2011 - Extension of time for permit</b>
<b>Category</b>	Building Act
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority to extend the time during which a building permit or a demolition permit has effect (r.24 of the <i>Building Regulations 2012</i> ).  Authority, if an extension of time is granted, to impose any condition on the building permit or a demolition permit that could have been imposed (s.27 of the <i>Building Act 2011</i> ).
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Subdelegates</b>	Coordinator Statutory Building Director Community Services Manager Environmental Health and Statutory Building
<b>Statutory framework</b>	<i>Building Act 2011:</i> <ul style="list-style-type: none"> <li>• s.32(3) Duration of building or demolition permit</li> <li>• s.27 Conditions imposed by permit authority</li> <li>• s.127 Delegation: special permit authorities and local governments</li> </ul> <i>Building Regulations 2012:</i> <ul style="list-style-type: none"> <li>• r.24 - Extension of time during which permit has effect</li> </ul>
<b>Policy</b>	Nil
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	OCM 12 Sep 2017 Agenda Item 11.3 Amended OCM 14 Nov 2017 ECM Ref: 3053376

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
14 Oct 2021	Amended delegation	Added delegation BA-D05 Building Act 2011 Extension of time for permit to amended position of Manager Environmental Health and Statutory Services.	Administrative Change

## Cats

<b>Delegation</b>	<b>CA-D01 Cat Act 2011 General Powers and Duties</b>
<b>Category</b>	Cats
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	The CEO is delegated authority to exercise the powers or discharge the duties of the local government under the <i>Cat Act 2011</i> , including the power to delegate to any employee the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under another provision of this Act
<b>Delegates</b>	CEO
<b>Conditions</b>	Any sub-delegation to the Director Community and Development and Manager Rangers and Security is limited to: <ul style="list-style-type: none"> <li>• Power to give a cat control notice to a person who is the owner of a cat.</li> <li>• Power to cancel the registration of a cat.</li> <li>• Power to refuse an application for the grant or renewal of an approval to breed cats.</li> <li>• Power to cancel an approval to breed cats.</li> <li>• Power to issue a new certificate to an approved cat breeder if satisfied that a certificate has been stolen, lost, damaged or destroyed.</li> <li>• Power to withdraw an infringement notice.</li> <li>• Power to grant extension of time of infringement notice.</li> <li>• Power to cause a cat to be destroyed.</li> </ul>
<b>Subdelegates</b>	Director Community Services Manager Rangers and Security
<b>Statutory framework</b>	<i>Cat Act 2011:</i> s.44, s.45, s.64  <i>City of Bayswater Keeping and Control of Cats Local Law 2022</i> <i>City of Bayswater Keeping and Control of Cats Amendment Local Law 2023</i>
<b>Policy</b>	Disposal of Unclaimed Animals Policy
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	OCM 12 September Agenda Item 11.3 ECM Ref: 3034906

## Dogs

<b>Delegation</b>	<b>DA-D01 Dog Act 1976 General Powers and Duties</b>
<b>Category</b>	Dogs
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority to exercise all powers and discharge all duties of the local government under the <i>Dog Act 1976</i> including the appointment of authorised persons. The CEO is authorised to further delegate these powers and duties in line with the Act.
<b>Delegates</b>	CEO
<b>Conditions</b>	Any sub-delegation to the Director Community and Development and Manager Rangers and Security is limited to the following: <ul style="list-style-type: none"> <li>• The power to grant an exemption to the local law limit on the number of dogs per premise.</li> <li>• Power under regulations 35(5) to withdraw an infringement notice</li> <li>• Power to direct the registration officer to refuse or cancel a registration if certain conditions listed in the act apply.</li> <li>• Power to give written notice to the owner that the dog cannot be registered, if no application for a registration is made, and if certain conditions listed in the act apply,</li> <li>• Power to cause a dog to be destroyed at the request of the owner of that dog, whether or not the dog has been seized or detained.</li> <li>• Power to grant a licence for an approved kennel establishment</li> <li>• Power to declare an individual dog to be a dangerous dog</li> <li>• Power to revoke a declaration that a dog is a dangerous dog</li> </ul>
<b>Subdelegates</b>	Director Community Services Manager Rangers and Security
<b>Statutory framework</b>	<i>Dog Act 1976</i>
<b>Policy</b>	Disposal of Unclaimed Animals Policy
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	OCM 12 Sept 2017 Agenda Item 11.3 ECM Ref: 3034906

## Health

<b>Delegation</b>	<b>EO-D15 Public Health Act 2016 Authorised Officers</b>
<b>Category</b>	Health
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority to appoint persons or classes of persons as authorised officers for the purpose of fulfilling prescribed functions within the relevant legislation. (s.21 <i>Public Health Act 2016</i> ).
<b>Delegates</b>	CEO
<b>Conditions</b>	Must appoint authorised officers in writing and issue certificates of authorisation in accordance with the <i>Public Health Act 2016</i> and require appointed officers to produce such certificate on being asked to do so by a person in respect of whom they exercise, have exercised, or are about to exercise any such power.
<b>Statutory framework</b>	<i>Public Health Act 2016</i> : <ul style="list-style-type: none"> <li>• s.21. Enforcement agency may delegate</li> </ul>
<b>Policy</b>	Nil
<b>Date adopted</b>	13 September 2016
<b>Adoption references</b>	OCM 13 Sept 2016 Agenda Item 12.4

<b>Delegation</b>	<b>FA-D01 Food Act 2008 Appointment of Authorised Officers and Appointment of Designated Officers</b>
<b>Category</b>	Health
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	<p>Authority to appoint a person to be an authorised officer for the purposes of the <i>Food Act 2008</i>.</p> <p>Authority to appoint officers to be Designated Officers for the purposes of the <i>Food Act 2008</i> for either issuing infringements or extending, withdrawing or accepting payment for infringements.</p>
<b>Delegates</b>	CEO
<b>Conditions</b>	<p>There is no power under the <i>Food Act 2008</i> for this delegation to be subdelegated.</p> <p><b>Appointment of Authorised Officers:</b> A certificate of authority must be issued in accordance with section 123 of the <i>Food Act 2008</i>.</p> <p><b>Appointment of Designated Officers:</b> -Infringement Notices must be issued in accordance with section 126 of the <i>Food Act 2008</i>.</p> <p>Each enforcement agency must prepare and maintain a list of authorised officers appointed by the agency (s.122 <i>Food Act 2008</i>).</p>
<b>Statutory framework</b>	<p><i>Food Act 2008</i>:</p> <ul style="list-style-type: none"> <li>• s.122(1)(a)&amp;(b) Appointment of Authorised Officers</li> <li>• s.126(13) Infringements - Appointment of Designated Officers</li> </ul>
<b>Policy</b>	Nil
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	OCM 12 Sept 2017 Agenda Item 11.3 ECM Ref: 3034906



<b>Delegation</b>	<b>FA-D02 Food Act 2008 General Administration</b>
<b>Category</b>	Health
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority to exercise the powers or discharge the duties of the local government, as an enforcement agency, under the <i>Food Act 2008</i> .
<b>Delegates</b>	CEO
<b>Conditions</b>	Note this delegation cannot be sub delegated
<b>Statutory framework</b>	<p><i>Food Act 2008</i>:</p> <ul style="list-style-type: none"> <li>• s.118(2)(b) Functions of enforcement agencies and delegation</li> </ul>
<b>Policy</b>	Food Samples - Offences Policy
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	OCM 12 Sept 2017 Agenda Item 11.3 ECM Ref: 3034906

<b>Delegation</b>	<b>HA-D01 Health (Miscellaneous Provisions) Act 1911 Powers and Duties of Deputy</b>
<b>Category</b>	Health
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	The CEO is appointed as the City of Bayswater's deputy (s.26 <i>Health Act 1911</i> ).  In this capacity the CEO is authorised to exercise all powers exercisable by the local government under the <i>Health (Miscellaneous Provisions) Act 1911</i> and Regulations made thereunder.
<b>Delegates</b>	CEO
<b>Conditions</b>	This power cannot be sub-delegated.
<b>Statutory framework</b>	<i>Health (Miscellaneous Provisions) Act 1911:</i>  • s.26
<b>Policy</b>	Nil
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	OCM 12 Sept 2017 Agenda Item 11.3 ECM Ref: 3034906

## Local Government Act 1995 -CEO Original Powers

<b>Delegation</b>	<b>COP-D01 Withdraw an infringement notice</b>
<b>Category</b>	Local Government Act 1995 -CEO Original Powers
<b>Delegator</b>	CEO
<b>Express power or duty delegated</b>	Authority to withdraw an infringement notice by sending to the alleged offender a notice in the prescribed form stating that the infringement notice has been withdrawn (s9.20 <i>LG Act 1995</i> ).
<b>Delegates</b>	Director Community Services Manager Rangers and Security
<b>Conditions</b>	Must be within 1 year after the notice was originally given.
<b>Statutory framework</b>	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> <li>• s.9.19 Extension of time</li> <li>• s.9.20 Withdrawal of notice</li> </ul>
<b>Policy</b>	Nil
<b>Date adopted</b>	6 November 2017
<b>Adoption references</b>	ECM Ref: 3042153

<b>Delegation</b>	<b>COP-D02 Power to certify that a document is a true copy</b>
<b>Category</b>	Local Government Act 1995 -CEO Original Powers
<b>Delegator</b>	CEO
<b>Express power or duty delegated</b>	Authority to certify a copy of a local law of any other document of or adopted by the local government is a true copy (Part 9 -Division 2 - Subdivision 4 (Evidence in legal proceedings) of the LG Act 1995).
<b>Delegates</b>	Director Community Services Director Corporate Services Director Infrastructure and Assets
<b>Conditions</b>	Nil.
<b>Statutory framework</b>	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> <li>• Part 9, Division 2, Sub-division 4 Evidence in legal proceedings</li> <li>• s.9.31 Authority employee definition</li> </ul>
<b>Policy</b>	Nil
<b>Date adopted</b>	6 November 2017
<b>Adoption references</b>	ECM Ref: 3042153

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
29 Oct 2021	Amended delegation	Added position of Director Major Projects and Commercial Activities (60915) to Delegates list. Removed position of Director Major Projects from Delegates list.	Administrative Change
1 May 2023	Amended delegation	Added Delegation COP - D02 Power to Certify that a Document is a Correct Copy to position of Director Corporate Services.	Administrative Change

<b>Delegation</b>	<b>COP-D03 Proving ownership, occupancy, and other things by certificate</b>
<b>Category</b>	Local Government Act 1995 -CEO Original Powers
<b>Delegator</b>	CEO
<b>Express power or duty delegated</b>	Authority to tender a certificate on behalf of the local government verifying evidence as to whether anything - (a) is within a local government's district; or (b) belongs to a local government; or (c) is vested in, or is under the care, control, or management of, a local government.
<b>Delegates</b>	Director Community Services Director Corporate Services Director Infrastructure and Assets
<b>Conditions</b>	Nil
<b>Statutory framework</b>	<i>Local Government Act 1995</i>  • s.9.41 Providing ownership, occupancy and other things by certificate
<b>Policy</b>	Nil
<b>Date adopted</b>	6 November 2017
<b>Adoption references</b>	OCM 6 November 2017 ECM Ref: 3042153

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
29 Oct 2021	Amended delegation	Added position of Director Major Projects and Commercial Activities (60915) to Delegates list. Removed position of Director Major Projects from Delegates list.	Administrative Change
1 May 2023	Amended delegation	Added Delegation - COP-D03 Proving Ownership, Occupancy and other things by Certificate.	Administrative Change

<b>Delegation</b>	<b>COP-D04 Declaring a vehicle to be an abandoned vehicle wreck</b>
<b>Category</b>	Local Government Act 1995 -CEO Original Powers
<b>Delegator</b>	CEO
<b>Express power or duty delegated</b>	Authority to declare a vehicle to be an abandoned vehicle wreck (s.3.40(A)(4) <i>LG Act 1995</i> ).
<b>Delegates</b>	Director Community Services Manager Rangers and Security
<b>Subdelegate conditions</b>	If after seven days from the removal of a vehicle deemed to be an abandoned wreck the owner of the vehicle has not been identified or collected the vehicle the local government may declare that the vehicle is an abandoned vehicle wreck.
<b>Statutory framework</b>	<i>Local Government Act 1995:</i>  • s.3.40A(4) Abandoned vehicle wreck may be taken
<b>Policy</b>	Nil
<b>Date adopted</b>	25 January 2022
<b>Adoption references</b>	OCM 25 January 2022 Agenda Item 10.2.8

<b>Delegation</b>	<b>EF-D11 Leasing Agreements</b>
<b>Category</b>	Local Government Act 1995 -CEO Original Powers
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority to enter into leasing renewals in certain circumstances that does not exceed the amount of \$150,000 (s.3.58 <i>LG Act 1995</i> ).
<b>Delegates</b>	CEO
<b>Conditions</b>	<p>This delegation is limited to:</p> <ul style="list-style-type: none"> <li>a. The delegation to enter into a new lease/licence/user agreement applies only to the continuation of the existing lessee/occupant of the premises. Where an expression of interest or new lessee/occupant is recommended, these matters must be determined by Council;</li> <li>b. Compliance with the Community Facility Lease and Licence/User Agreement Policy;</li> <li>c. The total rental income to be received during the lease/licence/user agreement term (including all options) does not exceed \$150,000; and</li> <li>d. Minor negotiation of standard template terms by the Chief Executive Officer is acceptable to the extent not inconsistent with the Community Facility Lease and Licence/User Agreement Policy.</li> </ul>
<b>Express power to subdelegate</b>	Yes
<b>Subdelegates</b>	<p>Director Community Services  Director Corporate Services  Director Infrastructure and Assets</p>
<b>Statutory framework</b>	<i>Local Government Act 1995</i>
<b>Policy</b>	Community Facility Lease and Licence User Agreement Policy
<b>Date adopted</b>	3 December 2019
<b>Adoption references</b>	OCM 03 December 2019 Agenda Item 10.2.2

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
3 Dec 2019	New delegation	03 December 2019	OCM 03 2019
6 Dec 2022	Amended delegation	Increased CEO's delegation to enter into a lease up to \$150,000.	Administrative Change OCM 6 December 2022
1 May 2023	Amended delegation	Added Delegation EF-D11 Leasing Agreements to position of Director Corporate Services.	Administrative Change
12 Dec 2023	Amended delegation	Amended delegation by removing the details under "Express Power or Duty Delegated" and transferring these to the "Conditions" section.	Administrative Amendment



<b>Delegation</b>	<b>FM-D07 Community Funding Grants</b>
<b>Category</b>	Local Government Act 1995 -CEO Original Powers
<b>Delegator</b>	Council
<b>Express power to delegate</b>	Authority to make community funding contribution decisions.
<b>Express power or duty delegated</b>	Authority to make Community Funding Contribution Decisions within approved budget and within purchasing authority.
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Subdelegates</b>	<p>Building Operations Manager  Director Community Services  Director Corporate Services  Director Infrastructure and Assets  Environment Manager  Library Services Manager  Manager Community Development  Manager Digital Solutions and Services  Manager Environmental Health and Statutory Building  Manager Parks and Environment  Manager People, Culture and Safety  Manager Project Services  Manager Rangers and Security  Manager Recreation Services  Manager Statutory Planning and Compliance  Manager Transport and Buildings</p>
<b>Statutory framework</b>	<i>Local Government Act 1995</i>
<b>Policy</b>	Grants Program Policy
<b>Date adopted</b>	3 December 2019
<b>Adoption references</b>	OCM 03 December 2019

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
3 Dec 2019	New delegation	03 December 2019	OCM 03 December 2019
27 Aug 2021	Amended delegation	Added the role of Principal, Library and Customer Services role to the Subdelegates list.	Administrative Change
29 Oct 2021	Amended delegation	Added position of Manager Environmental Health and Statutory Building (60873) to subdelegates list.  Removed Manager Communications and Marketing, Community Engagement Advisor, Manager Asset and Mapping Services and Manager Environmental Health, Principal, Communications and Marketing (60956), Principal, Community Engagement (60968), and Principal Asset and Mapping Services (60961) from subdelegates list.	Administrative Change
29 Oct 2021	Amended delegation	Added position of Manager Recreation and Commercial Activities to subdelegates list. Removed position of Manager Recreation from subdelegates list.	Administrative Change
29 Oct 2021	Amended delegation	Added position of Director Major Projects and Commercial Activities (60915) to subdelegates list. Removed position of Director Major Projects from subdelegates list.	Administrative Change
29 Oct 2021	Amended delegation	Removed Coordinator Depot Services from subdelegates list.	Administrative Change
10 Nov 2021	Amended delegation	Added position of Principal, Library and Customer Services to subdelegates list.	Administrative Change
1 May 2023	Amended delegation	Added Delegation - FM-D07 - Community Funding Grants to position of Director Corporate Services.	Administrative Change
10 Oct 2023	Amended delegation	Added in in the words "within approved budget" under the "Express power or duty delegated" section".	Administrative Change

<b>Delegation</b>	<b>LGA-01 Acknowledgement of receipt of primary and annual returns</b>
<b>Category</b>	Local Government Act 1995 -CEO Original Powers
<b>Delegator</b>	CEO
<b>Express power or duty delegated</b>	Authority to acknowledge receipt of Primary and Annual Returns,
<b>Function</b>	To provide written acknowledgement of the receipt of Primary and Annual returns in accordance with s.5.77 of the <i>Local Government Act 1995</i> .
<b>Delegates</b>	Manager Governance and Strategy
<b>Conditions</b>	Nil.
<b>Statutory framework</b>	<i>Local Government Act 1995</i> : <ul style="list-style-type: none"> <li>• s5.77 Acknowledging receipts of returns</li> </ul>
<b>Policy</b>	Nil.
<b>Date adopted</b>	5 September 2024
<b>Adoption references</b>	Delegation created to allow position of Manager and Governance to acknowledge Annual and Primary Returns with the position of CEO to acknowledge Annual and Primary Returns for Elected Members.

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
3 Sep 2024	New delegation	Delegation from CEO to Manager Governance and Strategy - Authority to Acknowledge Primary and Annual Returns in accordance with s.577 LGA 1995.	Memo from Manager Governance and Strategy to CEO approved on 3 September 2024. ECM:4805245.

## Local Government Act 1995- Executive Functions

<b>Delegation</b>	<b>EF-D01 Authorised People- Local Government Act 1995</b>
<b>Category</b>	Local Government Act 1995- Executive Functions
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	<p>Authority to appoint persons or classes of persons as authorised persons for the purpose of exercising the powers and duties of an authorised person (s.9.10 <i>LG Act 1995</i>).</p> <p>The powers of an authorised person include, but are not necessarily limited to:</p> <ul style="list-style-type: none"> <li>• Entering property, s3.31;</li> <li>• Removing, impounding and disposing of goods as per sections 3.39 to 3.48;</li> <li>• Requiring the name, address and date of birth of a person breaching the Act s9.11; and</li> <li>• Issuing infringement notices as per section 9.16.</li> </ul> <p>Authority, to expressly authorise a person to exercise the powers of local government for certain provisions about land (s.3.24 <i>LG Act 1995</i>). The powers of a person so authorised include, but are not necessarily limited to:</p> <ul style="list-style-type: none"> <li>• Entering land to perform any function of the local government under the Act (s.3.28);</li> <li>• Giving notice of entry (s.3.32);</li> <li>• Seeking and executing an entry under warrant (s.3.33);</li> <li>• Executing entry in an emergency (s.3.34);</li> <li>• Giving notice and effecting entry by opening a fence (s.3.36).</li> </ul>
<b>Delegates</b>	CEO
<b>Conditions</b>	In line with the requirements of the Act, a certificate of authorisation is to be issued to each authorised person stating the authority that has been granted.
<b>Statutory framework</b>	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> <li>• s3.24 Authorising persons Part 3, Division 3, Subdivision 2 - (certain provisions about land)</li> <li>• s9.10 Appointment of authorised officers</li> </ul>
<b>Policy</b>	TBA
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	OCM 12 Sep 2017 Agenda Item 11.3 ECM Ref: 3033406

<b>Delegation</b>	<b>EF-D02 Execution of Documents</b>
<b>Category</b>	Local Government Act 1995- Executive Functions
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	<p>Authority to authorise the affixing of the common seal to any document (s.9.49A (1), (2) and (3) <i>LG Act 1995</i>).</p> <p>Authority to sign any documents on behalf of the local government, that are necessary or appropriate to be signed in carrying out the Chief Executive Officer's functions under the <i>LG Act 1995</i> (s.9.49(4) <i>LG Act 1995</i>).</p>
<b>Delegates</b>	CEO
<b>Conditions</b>	<p>The common seal is to be affixed in accordance with the requirement under the Act.</p> <p>All documents are to be executed in accordance with the Execution of Documents and Application of Common Seal Policy.</p>
<b>Statutory framework</b>	<p><i>Local Government Act 1995</i>:</p> <ul style="list-style-type: none"> <li>• s.9.49A Execution of Documents.</li> </ul>
<b>Policy</b>	Execution of Documents and Application of Common Seal Policy
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	<p>OCM 12 September 2017</p> <p>ECM Ref: 3034906</p>

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
27 Aug 2021	Amended delegation	Added the role of Principal, Library and Customer Services role to the Subdelegates list.	Administrative Change
29 Oct 2021	Amended delegation	Added Manager Recreation and Commercial Activities (60959) and Principal, Engineer Major Projects (60954) to the subdelegates list. Removed Manager Asset and Mapping Services, Manager Recreation, Coordinator Depot Services and Manager Communications and Marketing, Principal, Communications and Marketing (60956), Principal, Community Engagement (60968), Principal, Asset and Mapping Services (60961), from subdelegates list.	Administrative Change
29 Oct 2021	Amended delegation	Added position of Director Major Projects and Commercial Activities (60915) to subdelegates list. Removed position of Director Major Projects from subdelegates list.	Administrative Change
6 Dec 2022	Amended delegation	Added Principal positions to sub delegation list.	Administrative Change
23 Dec 2022	Amended delegation	Added delegation of EF-D02 Execution of Documents to the positions of Manager Business Services and Manager Governance, Organisational Planning and Development.	Administrative Change
3 Jan 2023	Amended delegation	Added delegation of EF-D02 Execution of Documents to position of Manager Business Solutions.	Administrative Change
1 May 2023	Amended delegation	Added Delegation EF-D02 Execution of Documents to position of Director Corporate Services.	Administrative Change
5 Mar 2024	Amended delegation	Added position title of Planning Performance and Risk Manager.	Administrative Amendment
8 Mar 2024	Amended delegation	Removed position title of Manager Governance Organisational Planning and Development and replaced with position title of Manager Governance and Strategy.	Administrative Amendment
25 Jun 2024	Amended delegation	Amendments made to the Conditions section by Council stating that "All documents are to be executed in accordance with the Execution of Documents and Application of Common Seal Policy" and all subdelegates also removed.	OCM 25 June 2024 Item 10.1.4

<b>Delegation</b>	<b>EF-D03 Powers of Entry</b>
<b>Category</b>	Local Government Act 1995- Executive Functions
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	<p>Authority to perform any function of local government under the <i>Local Government Act 1995</i> if entry on to land is required for the performance of the functions of local government or in any other case in which entry is authorised by the Act (s.3.28, <i>LG Act 1995</i>).</p> <p>This authority includes, but is not limited to, authority to seek and execute a warrant of entry, to enter land in an emergency and to give notice and effect of entry by opening a fence.</p>
<b>Delegates</b>	CEO
<b>Conditions</b>	<p>In accordance with the conditions set out in the <i>Local Government Act 1995</i>:</p> <ul style="list-style-type: none"> <li>• Consent obtained from the owner or occupier (s.3.31(1)(a));</li> <li>• Notice has been given under 3.32 (s3.31(1)(b));</li> <li>• Entry in emergency (s.3.34(2));</li> <li>• Opening fences (s.3.36).</li> </ul>
<b>Subdelegates</b>	<p>Building Operations Manager  Coordinator Tree Services  Director Community Services  Manager Environmental Health and Statutory Building  Manager Parks and Environment  Manager Rangers and Security</p>
<b>Statutory framework</b>	<p><i>Local Government Act 1995</i>:</p> <ul style="list-style-type: none"> <li>• Part 3, Division 3, Subdivision 3 - Powers of Entry</li> </ul>
<b>Policy</b>	Nil
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	OCM 12 Sep 2017 Agenda Item 11.3 ECM Ref 3040404

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
29 Oct 2021	Amended delegation	<p>Added position of Manager Environmental Health and Statutory Building to subdelegates list.  Removed position of Manager Environmental Health from subdelegates list.</p>	Administrative Change

<b>Delegation</b>	<b>EF-D04 Notices requiring certain things to be done by owner or occupier of land</b>
<b>Category</b>	Local Government Act 1995- Executive Functions
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	<p>Authority to inspect private land and issue notices to owners of land. (s.3.25 <i>LG Act 1995</i>).</p> <p>Authority to do anything to achieve the purpose for which a notice has been given (s.3.26 <i>LG Act 1995</i>).</p> <p>Authority to recover costs associated with achieving the purpose for which a notice has been given (s.3.26 <i>LG Act 1995</i>).</p>
<b>Delegates</b>	CEO
<b>Conditions</b>	These powers must be exercised in accordance with <i>Local Government Act 1995</i> Schedule 3.1- powers under notices to owners or occupiers of land
<b>Subdelegates</b>	<p>Coordinator Tree Services</p> <p>Director Corporate Services</p> <p>Director Infrastructure and Assets</p> <p>Manager Environmental Health and Statutory Building</p> <p>Manager Parks and Environment</p>
<b>Statutory framework</b>	<p><i>Local Government Act 1995</i>:</p> <ul style="list-style-type: none"> <li>• s3.25 Notice requiring certain things to be done by owner or occupier of land</li> <li>• s3.26 Additional powers when notices given.</li> <li>• s.5.42. Delegation of some powers and duties to CEO.</li> </ul>
<b>Policy</b>	Nil
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	OCM 12 September 2017 Agenda Item 11.3 ECM Ref: 3040404

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
29 Oct 2021	Amended delegation	Added position of Manager Environmental Health and Statutory Building to subdelegates list. Removed position of Manager Environmental Health from subdelegates list.	Administrative Change
29 Oct 2021	Amended delegation	Added position of Director Major Projects and Commercial Activities (60915) to subdelegates list. Removed position of Director Major Projects from subdelegates list.	Administrative Change



<b>Delegation</b>	<b>EF-D05 Disposing of Property</b>
<b>Category</b>	Local Government Act 1995- Executive Functions
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	<p>Authority to sell or otherwise dispose of any goods that have been confiscated under the Act (s.3.47 <i>LG Act 1995</i>).</p> <p>Authority to dispose of property by public auction, public tender or in accordance with other methods deemed acceptable under the Act (s.3.58 <i>LG Act 1995</i>).</p> <p>Authority to dispose of property for which an exemption applies under section 3.58(5) of the <i>LG Act 1995</i> and <i>F&amp;G r.30</i>.</p>
<b>Delegates</b>	CEO
<b>Conditions</b>	<p>The disposal must be in accordance with:</p> <ul style="list-style-type: none"> <li>• the City's Annual Budget or by Council resolution;</li> <li>• s.3.58 of the <i>Local Government Act 1995</i>; and</li> <li>• r.30 of the <i>Local Government (Functions and General) Regulations 1996</i>.</li> </ul> <p>In the case of land, the intended sale price must be greater than or equal to the valuation.</p> <p>The CEO may authorise the disposal of plant and equipment that has not been identified in the annual budget, provided it has a written down value of less than \$10,000 and is no longer used or serves no purpose (please refer to the City's Management Practice - Disposal of Surplus Goods and Equipment (Minor Assets)).</p>
<b>Subdelegates</b>	<p>Director Community Services  Director Infrastructure and Assets  Manager Rangers and Security  Manager Transport and Buildings</p>
<b>Statutory framework</b>	<p><i>Local Government Act 1995</i>:</p> <ul style="list-style-type: none"> <li>• s3.47 Disposing of confiscated or uncollected goods</li> <li>• s3.58 Disposing of Property</li> </ul> <p><i>Local Government (Functions and General) Regulations 1996</i>:</p> <ul style="list-style-type: none"> <li>• r.30(3) Disposing of property to which section 3.58 does not apply</li> </ul>
<b>Policy</b>	Nil
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	<p>OCM 12 September 2017 Agenda Item 11.3  ECM Ref: 3040404</p>

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
29 Oct 2021	Amended delegation	Added position of Director Major Projects and Commercial Activities (60915) to subdelegates list. Removed position of Director Major Projects from subdelegates list.	Administrative Change
9 Nov 2022	Amended delegation	Reference made to the City's current Management Practice - Disposal of Goods and Equipment (Minor Assets).	Administrative Change

<b>Delegation</b>	<b>EF-D06 Recovery of Impounding Expenses</b>
<b>Category</b>	Local Government Act 1995- Executive Functions
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority to recover impounding, expenses, by action in a court of competent jurisdiction (s.3.48 LG Act 1995).
<b>Delegates</b>	CEO
<b>Conditions</b>	<p>In accordance with section 3.48 the goods must be impounded under section 3.39 of the Act and the offender must be convicted.</p> <p>If the impounded goods are not sold the amount recovered can only be for expenses incurred by the local government in removing and impounding the goods and in disposing of them.</p> <p>If the impounded goods are sold the amount recovered can only be the amount, if any, by which the money received from the sale, is insufficient to meet costs and expenses.</p>
<b>Subdelegates</b>	Director Community Services Manager Rangers and Security
<b>Statutory framework</b>	<p><i>Local Government Act 1995</i></p> <ul style="list-style-type: none"> <li>• s3.48 Recovery of Impounding Expenses</li> </ul>
<b>Policy</b>	Sundry Debt Collection And Recovery Policy
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	OCM 12 Sept 2017 ECM Ref Number: 3040404

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
12 Dec 2023	Amended delegation	Amended some legislation references in the "Express Power or Duty Delegated" section.	Administrative Amendment.

<b>Delegation</b>	<b>EF-D07 Disposal of Sick or Injured Animals</b>
<b>Category</b>	Local Government Act 1995- Executive Functions
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority to humanely destroy and dispose of an impounded animal that is determined to be too sick or injured to treat (s.3.47A(1) <i>LG Act 1995</i> ).
<b>Delegates</b>	CEO
<b>Conditions</b>	<p>The animal must be destroyed in a humane manner.  A local government must not destroy an animal under this subsection unless —</p> <ul style="list-style-type: none"> <li>• because of the state of the animal, destroying it is urgent; or</li> <li>• the local government has — <ul style="list-style-type: none"> <li>◦ taken reasonable steps to notify the owner; and</li> <li>◦ allowed the owner a reasonable opportunity (at least 7 days) to collect the animal.</li> </ul> </li> </ul>
<b>Subdelegates</b>	Director Community Services Manager Rangers and Security
<b>Statutory framework</b>	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> <li>• s.3.47A Disposing of sick or injured animals</li> </ul>
<b>Policy</b>	Nil
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	OCM 12 Sep 2017 Agenda Item 11.3 ECM Ref 3040404

<b>Delegation</b>	<b>EF-D08 Reserves under the Control of Local Government</b>
<b>Category</b>	Local Government Act 1995- Executive Functions
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority to do anything for the purposes of controlling the management of land that is vested in or under the management of the City (s.3.54 <i>LG Act 1995</i> ).
<b>Delegates</b>	CEO
<b>Conditions</b>	Subject to any express provision to the contrary made by an order under the Land Administration Act 1997 in respect of the land.
<b>Subdelegates</b>	Director Infrastructure and Assets Manager Parks and Environment
<b>Statutory framework</b>	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> <li>• s3.54 Reserves under the control of a local government</li> </ul>
<b>Policy</b>	Nil
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	OCM 12 September 2017 ECM Ref: 3040404

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
29 Oct 2021	Amended delegation	Added position of Director Major Projects and Commercial Activities (60915) to subdelegates list. Removed position of Director Major Projects from subdelegates list.	Administrative Change

<b>Delegation</b>	<b>EF-D09 Temporary and Partial Closure of Roads</b>
<b>Category</b>	Local Government Act 1995- Executive Functions
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority to undertake a temporary closure of roads and to do anything for the purposes of administering Part 3, Division 3 Subdivision 5 of the Act, which relates to certain provisions about thoroughfares (s.3.50, s3.50A, s.51 <i>LG Act 1995</i> ).
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Subdelegates</b>	Director Infrastructure and Assets Manager Infrastructure Planning Manager Parks and Environment Manager Transport and Buildings
<b>Statutory framework</b>	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> <li>• s.3.50 Closing certain thoroughfares to vehicles</li> <li>• s.3.50A Partial closure of thoroughfares for repairs or maintenance</li> <li>• s.3.51 Affected owners to be notified of certain proposals</li> </ul>
<b>Policy</b>	Nil
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	OCM 12 September 2017 Agenda Item 11.3 ECM Ref: 3040404

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
29 Oct 2021	Amended delegation	Added Principal, Engineer Major Projects to subdelegates list. Removed Manager Engineering Services from subdelegates list.	Administrative Change
29 Oct 2021	Amended delegation	Added position of Director Major Projects and Commercial Activities (60915) to subdelegates list. Removed position of Director Major Projects from subdelegates list.	Administrative Change
29 Nov 2021	Amended delegation	Added position of Engineer (60841) to subdelegates list.	Administrative Change
20 Sep 2022	Amended delegation	Removed position title Engineer from Delegates list.	Administrative change.

<b>Delegation</b>	<b>EF-D10 Activities Private Land</b>
<b>Category</b>	Local Government Act 1995- Executive Functions
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority to do any of the things prescribed in Schedule 3.2 of the <i>Local Government Act 1995</i> ; even though the land on which it is done is not local government property and the local government does not have the consent to do it (s.3.27 <i>LG Act 1995</i> ).
<b>Delegates</b>	CEO
<b>Conditions</b>	Limited to those activities as listed in Schedule 3.2 of the Local Government Act 1995.
<b>Subdelegates</b>	Director Infrastructure and Assets
<b>Statutory framework</b>	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> <li>• s.3.27(1) Particular things local governments can do on land that is not local government property</li> <li>• Schedule 3.2 Particular things local governments can do on land that is not local government property</li> </ul>
<b>Policy</b>	Nil
<b>Date adopted</b>	26 October 2020
<b>Adoption references</b>	ECM Ref: 3042153

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
29 Oct 2021	Amended delegation	Added position of Director Major Projects and Commercial Activities (60915) to subdelegates list. Removed position of Director Major Projects from subdelegates list.	Administrative Change

## Local Government Act 1995- Financial Management

<b>Delegation</b>	<b>FM-D01 Power to Invest</b>
<b>Category</b>	Local Government Act 1995- Financial Management
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority to invest money held in the municipal or trust fund that is not, for the time being, required for any other purpose (s6.14(1) <i>LG Act 1995</i> ).
<b>Delegates</b>	CEO
<b>Conditions</b>	<p>Must establish, document and adhere to internal control procedures and relevant Council policies to ensure control of investments.</p> <p>Authority must be exercised in accordance with Regulation 19 of the <i>Local Government (Financial Management) Regulations 1996</i>.</p> <p>Authority must be exercised in accordance with Part III of the Trustees Act 1962.</p>
<b>Subdelegates</b>	Director Corporate Services Manager Financial Services
<b>Statutory framework</b>	<p><i>Local Government Act 1995</i>:</p> <ul style="list-style-type: none"> <li>• s6.14(1) Power to invest</li> </ul>
<b>Policy</b>	Authorised Signatories for Bank Accounts Investment Policy
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	OCM 12 Sep 2017 Agenda Item 11.3 ECM Ref 3023120

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
3 Jan 2023	Amended delegation	Added delegation FM-D01 Power to Invest to position of Manager Business Solutions.	Administrative Change
1 May 2023	Amended delegation	Added Delegation FM-D01 Power to Invest to position of Director Corporate Services.	Administrative Change.



<b>Delegation</b>	<b>FM-D02 Acceptance of Quotations, Tenders and Expressions of Interest</b>
<b>Category</b>	Local Government Act 1995- Financial Management
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	<p>Authority to accept or reject quotations or expressions of interest (F&amp;G r.11A, r.11A, r.18 and r.23).</p> <p>Authority to accept a minor variation prior to awarding a contract or select the next most advantageous tender (F&amp;G r.20).</p>
<b>Delegates</b>	CEO
<b>Conditions</b>	<p>Delegated authority is subject to a provision in the Annual Budget and limited to:</p> <ul style="list-style-type: none"> <li>• Annual quotations and tenders (operation and supplies) - equal to or below \$250,000</li> <li>• All other contracts resulting from quotations and tenders - equal to or below \$250,000</li> <li>• Contracts awarded in accordance with the <i>Local Government (Functions and General) Regulations 1996</i>, and the City's Procurement Policy and Contract Management Policy.</li> <li>• The variation is minor having regard to the total goods or services that tenderers were invited to supply.</li> </ul>
<b>Subdelegates</b>	<p>Director Community Services  Director Corporate Services  Director Infrastructure and Assets</p>
<b>Statutory framework</b>	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> <li>• s.3.57 Tenders for providing goods and services</li> </ul> <p><i>Local Government (Functions and General) Regulations 1996:</i></p> <ul style="list-style-type: none"> <li>• Part 4 Provision of goods and services</li> <li>• Regulations 11A to 24 (as applicable)</li> </ul>
<b>Policy</b>	<ul style="list-style-type: none"> <li>• Procurement Policy;</li> <li>• Contract Management Policy; and</li> <li>• Purchasing Authorisation Management Practice.</li> </ul>
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	<p>OCM 12 Sep 2017 Agenda Item 11.3  ECM Ref: 3023120</p>

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
6 Dec 2022	Amended delegation	Increased acceptance of tenders for CEO position up to \$250,000 and added in sub delegate positions of: Director Community and Development Director Corporate and Strategy Director Major Projects and Commercial Activities Director Works and Infrastructure up to \$150,000 in accordance with their financial delegation	Administrative Change
1 May 2023	Amended delegation	Added Delegation FM-D02 Acceptance of Tenders and Quotations to position of Director Corporate Services.	Administrative Change.
25 Jun 2024	Amended delegation	Conditions amended by Council as part of Annual Delegations Review to include quotations and Expressions of Interest and the City's Procurement Policy and Contract Management Policy.	OCM 25 June 2024 Item 10.1.4

<b>Delegation</b>	<b>FM-D03 Calling of Tenders</b>
<b>Category</b>	Local Government Act 1995- Financial Management
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	<p>Authority to publicly invite tenders, or seek expressions of interest for the purpose of goods and services (F&amp;G r.11 and r.21).</p> <p>Authority to publicly invite tenders in lieu of seeking quotations for purchases under the threshold, where this is considered beneficial (F&amp;G r.13).</p> <p>Authority to determine when exemptions apply to the requirement to call for a public tender (F&amp;G r.11(2) to (6)).</p> <p>Authority to determine the criteria for the acceptance of tenders (F&amp;G r.14).</p> <p>Authority to vary tender information before the close of tenders, taking all reasonable steps to provide notice of the variation (F&amp;G r.14).</p>
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil.
<b>Subdelegates</b>	<p>Director Community Services</p> <p>Director Corporate Services</p> <p>Director Infrastructure and Assets</p>
<b>Statutory framework</b>	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> <li>• s3.57 Tenders for providing goods and services</li> </ul> <p><i>Local Government (Functions and General) Regulations 1996:</i></p> <ul style="list-style-type: none"> <li>• Part 4 Provision of goods and services</li> <li>• Regulation 11 to Regulation 24 (as applicable)</li> </ul>
<b>Policy</b>	Procurement Policy
<b>Date adopted</b>	26 October 2020
<b>Adoption references</b>	<p>OCM 24 November 2020 Agenda Item 10.2.6</p> <p>ECM Document Ref: 3042153</p>

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
29 Oct 2021	Amended delegation	Added position of Director Major Projects and Commercial Activities (60915) to subdelegates list. Removed position of Director Major Projects from subdelegates list.	Administrative Change
1 May 2023	Amended delegation	Added Delegation FM-D03 Calling of Tenders to position of Director Corporate Services.	Administrative Change

<b>Delegation</b>	<b>FM-D04 Payments from the Municipal and Trust Funds</b>
<b>Category</b>	Local Government Act 1995- Financial Management
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority to make payment from the Municipal Fund and from the Trust Fund (s.67 & s.69 of the <i>LG Act 1995</i> ).
<b>Delegates</b>	CEO
<b>Conditions</b>	<p>This delegation is subject to the requirements of regulation 13 of the <i>Local Government (Financial Management) Regulations 1996</i>.</p> <p>In line with regulation 11 of the <i>Local Government (Financial Management) Regulations 1996</i> Council has authorised (SCM 28 June 2017 Item 7.1) as signatories for payments and transfers from:</p> <p><b>1. Municipal Fund Account:</b> Any two of the Chief Executive Officer, the Director Corporate Services, the Director Infrastructure and Assets, the Director Community Services, and the Manager Financial Services; the Contracts and Procurement Manager and the Manager Governance, Organisational Planning and Development.</p> <p><b>2. Trust Fund Account:</b> Any two of the Chief Executive Officer, the Director Corporate Services, the Director Infrastructure and Assets, the Director Community Services, the Manager Financial Services; the Contracts and Procurement Manager and the Manager Governance, Organisational Planning and Development.</p> <p>It is also a requirement that the City:</p> <ul style="list-style-type: none"> <li>• Retain Cheque Vouchers, including electronic transfer records as evidence of decisions to make payments.</li> <li>• Retain computer encryption devices and other controls for effective scrutiny of account payments.</li> </ul>
<b>Subdelegates</b>	Director Community Services Director Corporate Services Director Infrastructure and Assets Manager Financial Services Manager Governance and Strategy Senior Financial Accountant
<b>Statutory framework</b>	<p><i>Local Government Act 1995</i>:- s6.7 Municipal Fund s6.9 Trust Fund</p> <p><i>Local Government (Financial Management) Regulations 1996</i>:- r.5 - CEO's duties as to financial management r.11-Payments, procedures for making etc. r.12 - Payments from municipal fund or trust fund, restrictions on making r.13- Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.</p>
<b>Policy</b>	Purchasing Authorisations Management Practice
<b>Date adopted</b>	12 September 2017

<b>Adoption references</b>	OCM 12 September 2017 Agenda Item 11.3 ECM Ref: 3034709
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<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
29 Oct 2021	Amended delegation	Added position of Director Major Projects and Commercial Activities (60915) to subdelegates list. Removed position of Director Major Projects from subdelegates list.	Administrative Change
3 Jan 2023	Amended delegation	Added delegation FMD04- Payments from the Municipal and Trust Funds to position of Manager Business Solutions.	Administrative Change
1 May 2023	Amended delegation	Added Delegation FM-D04 Payments from the Municipal and Trust Funds.	Administrative Change
15 Jun 2023	Amended delegation	Added the positions of Manager Business Services (61002), Senior Accountant (60480) and Senior Management Accountant (61033) to delegation FM-D04A - Authority to incur expenses and apply money from the Municipal Fund Account.	Administrative Change

<b>Delegation</b>	<b>FM-D05 Granting Concessions and Write-Offs</b>
<b>Category</b>	Local Government Act 1995- Financial Management
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	<p>Authority to waive or grant concessions in relation to any amount of money which is owed to the local government (s.6.12(b) <i>LG Act 1995</i>).</p> <p>Authority to write off of any debts (not including rates or other charges) considered irrecoverable (s.6.12(c) <i>LG Act 1995</i>).</p>
<b>Delegates</b>	CEO
<b>Conditions</b>	<p>The CEO may:</p> <ul style="list-style-type: none"> <li>• -Authorise a waiver or grant a concession to a maximum value of \$500.</li> <li>• -Authorise a write off of any debts (not including rates, swimming pool or waste related charges) considered irrecoverable to a maximum value of \$1,000.</li> <li>• Authorise a write off for application and permit fees for charitable organisations up to a maximum value of \$1,200.</li> </ul>
<b>Subdelegates</b>	<p>Director Corporate Services  Library Services Manager  Manager Community Development  Manager Financial Services  Manager Project Services  Manager Recreation Services  Manager Statutory Planning and Compliance</p>
<b>Statutory framework</b>	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> <li>• -s.6.12(1)(b) -Waive a fee or grant a concession in relation to any amount of money owed to the local government</li> <li>• s.6.12(1)(c) -Write off a debt which is owed to the local government</li> <li>• s.6.12(3) -The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government</li> </ul>
<b>Policy</b>	Sundry Debt Collection and Recovery Policy
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	<p>OCM 12 Sep 2017 Agenda Item 11.3  ECM Ref: 3034906  Sub-delegation amended 19 March 2018 ECM ID 3124222  Sub-delegation amended 20 April 2018 ECM 3144438</p>

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
27 Aug 2021	Amended delegation	Added the role of Principal, Library and Customer Services role to the Subdelegates list.	Administrative Change
29 Oct 2021	Amended delegation	Added position of Manager Recreation and Commercial Activities to subdelegates list. Removed position of Manager Recreation from subdelegates list.	Administrative Change
20 Sep 2022	Amended delegation	Amended Delegation FM-D05 Granting Concessions and Write-Offs to authorise the Chief Executive Officer to waive or write off application and permit fees for charitable organisations up to \$1,200.	Administrative Amendment - Ordinary Council Meeting 20 September 2022 Item 10.6.2.3.
3 Jan 2023	Amended delegation	Added delegation FMD05-Granting Concessions and Write-Offs to position of Manager Business Solutions.	Administrative Change
1 May 2023	Amended delegation	Added Delegation - FM-D05 - Granting Concessions and Write-Offs to position of Director Corporate Services.	Administrative Change
25 Jun 2024	Amended delegation	Amendments made to the conditions section by Council to only list the what the CEO may do.	OCM 25 June 2024 Item 10.1.4



<b>Delegation</b>	<b>FM-D06 Recovery of Unpaid Rates or Service Charge</b>
<b>Category</b>	Local Government Act 1995- Financial Management
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	<p>Authority to determine that notice be given to the lessee requiring payment of the rates or service charges (s.6.60(2) &amp; (3) <i>LG Act 1995</i>).</p> <p>Authority to recover the amount of the rate or service charge as a debt from the lessee if rent is not paid (s.6.60(4) <i>LGA 1995</i>).</p> <p>Authority to recover rates or service charges, as well as the costs of proceedings, in a court of competent jurisdiction (s6.56 <i>LG Act 1995</i>).</p> <p>Authority to enter into negotiations and reach agreement to accept payment of outstanding rates or service charge and stay prosecution (s.6.69 (1),(2) and (3) <i>LG Act 1995</i>).</p> <p>Authority to apply in the form and manner prescribed, to the Minister to have vacant land re-vested in the Crown (s.6.74(1) <i>LG Act 1995</i>).</p>
<b>Delegates</b>	CEO
<b>Conditions</b>	<p>Authority must be exercised in accordance with:</p> <ul style="list-style-type: none"> <li>• Schedule 6.2(1)(1) Provisions relating to lease of land where rates or service charges unpaid (s.6.65 <i>LG Act 1995</i>).</li> <li>• Schedule 6.3(1)(4) and (4)(1) Provisions relating to sale or transfer of land where rates or service charges unpaid (s.6.68(3) <i>LG Act 1995</i>).</li> </ul>
<b>Subdelegates</b>	<p>Coordinator Rating Services  Director Corporate Services  Manager Financial Services</p>
<b>Statutory framework</b>	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> <li>• s.6.56 Rates or service charges recoverable in court</li> <li>• s.6.60 Local government may require lessee to pay rent</li> <li>• s.6.69 Right to pay rates, service charges and costs, and stay proceedings</li> <li>• s.6.74 Power to have vacant land re-vested in the Crown if rates in arrears 3 years</li> <li>• Schedule 6.2 Provisions relating to lease of land where rates or service charges unpaid</li> <li>• Schedule 6.3 Provisions relating to sale or transfer of land where rates or service charges unpaid</li> </ul>
<b>Policy</b>	Nil
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	<p>OCM 12 Sep 2017 Agenda Item 11.3  ECM Ref: 3034906</p>

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
1 May 2023	Amended delegation	Added Delegation FM-D06 - Recovery of Unpaid Rates or Service Charge to position of Director Corporate Services.	Administrative Change
10 Oct 2023	Amended delegation	Added sub delegation position of Manager Financial Services and Rates Coordinator.	Administrative Change
12 Dec 2023	Amended delegation	Amendments made to legislation referenced in the 'Express Power or Duty Delegated" section as well in the "Statutory Framework" section.	Administrative Amendment

<b>Delegation</b>	<b>FM-D08 Acceptance of Contract Extensions and Variations</b>
<b>Category</b>	Local Government Act 1995- Financial Management
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority to approve all other contract extensions and variations where the original contract has been approved by Council or by the CEO under the delegation for accepting tenders FM-D02 (F&G r.21A).
<b>Delegates</b>	CEO
<b>Subdelegates</b>	Director Community Services Director Corporate Services Director Infrastructure and Assets
<b>Statutory framework</b>	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> <li>• s.3.57 Tenders for providing goods and services</li> </ul> <p><i>Local Government (Functions and General) Regulations 1996:</i></p> <ul style="list-style-type: none"> <li>• Part 4 Provision of goods and services</li> <li>• Regulations 11A to 24 (as applicable)</li> </ul>
<b>Policy</b>	Procurement Policy and Contract Management Policy
<b>Date adopted</b>	26 October 2020
<b>Adoption references</b>	SCM 05 May 2020 Agenda Item 8.2 ECM Ref: 3042153

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
5 May 2020	New delegation	05 May 2020	SCM 05 May 2020
29 Oct 2021	Amended delegation	Added position of Director Major Projects and Commercial Activities (60915) to subdelegates list. Removed position of Director Major Projects from subdelegates list.	Administrative Change
6 Dec 2022	Amended delegation	FM-D08 Acceptance of Contract Extensions and Variations Updated delegation to remove reference to COVID-19 provisions due to the State of Emergency being removed.	Administrative Change
1 May 2023	Amended delegation	Added Delegation FM-D08 - Acceptance of Contract Extensions and Variations to position of Director Corporate Services.	Administrative Change

<b>Delegation</b>	<b>FM-D09 CEO to Write off Rates for the Mertome Lease for Life Tenants who have Occupied the Facility Prior to 1 April 2019</b>
<b>Category</b>	Local Government Act 1995- Financial Management
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority to write off a debt which is owed to the local government (s.6.12(c) <i>LG Act 1995</i> ).
<b>Delegates</b>	CEO
<b>Subdelegates</b>	Director Corporate Services Manager Financial Services
<b>Subdelegate conditions</b>	This delegation is limited to the write off of rates for the Mertome lease for life tenants who have occupied the facility prior to 1 April 2019.
<b>Statutory framework</b>	<i>Local Government Act 1995</i> <ul style="list-style-type: none"> <li>• s.6.12(1)(c) -Write off a debt which is owed to the local government</li> </ul>
<b>Policy</b>	Nil
<b>Date adopted</b>	6 December 2022
<b>Adoption references</b>	OCM 06 December 2022 Agenda Item 10.1.2

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
6 Dec 2022	New delegation	New delegation created - FM - 09 Write off Rates for the Mertome Lease for Life Tenants.	OCM 06 2022
1 May 2023	Amended delegation	Added Delegation - FM-D09 - CEO to Write off Rates for the Mertome Lease for Life Tenants who have Occupied the Facility Prior to 1 April 2019 to position of Director Corporate Services.	Administrative Change

<b>Delegation</b>	<b>FM-D10 Objection to a Rate Record</b>
<b>Category</b>	Local Government Act 1995- Financial Management
<b>Delegator</b>	Council
<b>Express power to delegate</b>	Authority in line with s.6.76(4) and (5) - Grounds of objection
<b>Delegates</b>	CEO
<b>Subdelegates</b>	Director Corporate Services Manager Financial Services
<b>Statutory framework</b>	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> <li>• s.6.76(4) and (5) - Grounds of objection</li> </ul>
<b>Policy</b>	Nil
<b>Date adopted</b>	25 June 2024
<b>Adoption references</b>	New Delegation FM-D10 Objection to a rate Record was adopted by Council at OCM on 25 June 2024.

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
25 Jun 2024	New delegation	New Delegation added - FM-D10 Objection to a Rate Record	OCM 25 June 2024

<b>Delegation</b>	<b>FS-D13 Rateable Land</b>
<b>Category</b>	Local Government Act 1995- Financial Management
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority to approve rate exemptions (s.6.26 <i>LG Act 1995</i> ).
<b>Delegates</b>	CEO
<b>Conditions</b>	Any applications requesting exemption under s6.26(2)(g) - "land used exclusively for charitable purposes" are still to be referred to Council for consideration.
<b>Statutory framework</b>	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> <li>• s6.26 Rateable land</li> </ul>
<b>Policy</b>	Rates Exemptions Policy
<b>Date adopted</b>	28 February 2017
<b>Adoption references</b>	OCM 28 Feb 2017 Agenda Item 13.4

## Local Government Act 1995 Regulations

<b>Delegation</b>	<b>LGR-D01 Obstruction of public thoroughfare</b>
<b>Category</b>	Local Government Act 1995 Regulations
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority to grant permission to place on a specified part of public thoroughfare one or more specified things that may obstruct the public thoroughfare (r.6 <i>LG (ULP) Regulations</i> ).
<b>Delegates</b>	CEO
<b>Conditions</b>	Permission granted under this regulation: <ul style="list-style-type: none"> <li>• must be in writing; and</li> <li>• must specify the period for which it is granted; and</li> <li>• must specify any condition imposed</li> </ul>
<b>Subdelegates</b>	Coordinator Statutory Building Director Community Services Manager Environmental Health and Statutory Building Manager Statutory Planning and Compliance
<b>Statutory framework</b>	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> <ul style="list-style-type: none"> <li>• r.6 Obstruction of public thoroughfare by things placed and left</li> </ul> <i>Local Government Act 1995:</i> <ul style="list-style-type: none"> <li>• s.9.59 General regulations</li> </ul>
<b>Policy</b>	Nil
<b>Date adopted</b>	26 October 2020
<b>Adoption references</b>	OCM 24 November 2020 Agenda Item 10.2.6 ECM Ref: 3042153

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
14 Oct 2021	Amended delegation	Added delegation of LGR-D01 Local Government Act Obstruction of Public Thoroughfare to amended position of Manager Environmental Health and Statutory Services.	Administrative Change
29 Oct 2021	Amended delegation	Added position of Manager Environmental Health and Statutory Building (60873) to subdelegates list. Removed position of Manager Environmental Health from subdelegates list.	Administrative Change
5 Nov 2021	Amended delegation	Removed Manager Strategic Planning and Place, and Planning Manager Major Projects from the subdelegates list.	Administrative Change



<b>Delegation</b>	<b>MCC-D01 Model Code of Conduct 2021 - Authority to Make a Finding on Division 3 Code of Conduct Complaints</b>
<b>Category</b>	Local Government Act 1995 Regulations
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s5.42 Delegation of some powers and duties to a CEO
<b>Express power or duty delegated</b>	<i>Local Government (Model Code of Conduct) Regulations 2021:</i> <ul style="list-style-type: none"> <li>• Clause 12 Dealing with a complaint</li> <li>• Clause 13 Dismissal of complaint</li> </ul>
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to make a finding as to whether an alleged breach the subject of a complaint has or has not occurred, based upon evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur [MCC.cl.12(1) and (3)].</li> <li>2. Where a finding is made that a breach has occurred, authority to: <ol style="list-style-type: none"> <li>a. take no further action [MCC.cl.12(4)(a)]; or</li> <li>b. prepare and implement a plan to address the behaviour of the person to whom the complaint relates [MCC.cl.12(4)(b), (5) and (6)].</li> </ol> </li> <li>3. Authority to dismiss a complaint and if dismissed, the Chief Executive Officer must also determine reasons for the dismissal [MCC.cl.13(1) and (2)].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. The Chief Executive Officer will make decisions in accordance with the principles and specified requirements established in the Councillor Complaints Policy.</li> <li>b. The Chief Executive Officer may not make findings on Complaints for which the Chief Executive Officer is the Complainant. Findings on these complaints must be determined by Council.</li> </ol>
<b>Express power to subdelegate</b>	Nil.
<b>Statutory framework</b>	<i>Local Government Act 1995</i>  <i>Local Government (Model Code of Conduct) Regulations 2021:</i> <ul style="list-style-type: none"> <li>• Clause 12 Dealing with a complaint</li> <li>• Clause 13 Dismissal of complaint</li> </ul>
<b>Policy</b>	Code of Conduct Complaints Management Policy  <i>City of Bayswater Code of Conduct for Council Members, Committee Members and Candidates</i>
<b>Record keeping</b>	A register of Complaints where a breach is found to be made will be kept on the City's Website in accordance with the Councillor Complaints Policy.
<b>Date adopted</b>	25 October 2022
<b>Adoption references</b>	OCM 25 October 2022 Agenda Item 10.1.1

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
16 Jul 2024	Amended delegation	Updated name of Councillor Complaints Policy to Code of Conduct Complaints Management Policy as the name of the Policy has been changed by the Council.	

## Local Laws

<b>Delegation</b>	<b>LL-D01 Local Laws -General Administration</b>
<b>Category</b>	Local Laws
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority to administer the City's local laws and to do all other things that are necessary or convenient to be done for, or in connection with, performing the functions of the City under the City's local laws.
<b>Delegates</b>	CEO

<p><b>Conditions</b></p>	<p>Controversial applications made under any local law are to be referred to Council for consideration.</p> <p>The sub delegated power to the position of <b>Manager Rangers and Security</b> is to do all things that are necessary or convenient to be done for, or in connection with, performing the functions of the local government under the City's local laws made under the <i>Local Government Act 1995</i>, the <i>Cat Act 2011</i> and the <i>Dog Act 1976</i>. Note this sub-delegation does not cover the <i>Health Local Law 2001</i>.</p> <p>The sub delegated powers to the <b>Director Infrastructure and Assets and Director Major Projects</b> are limited to:</p> <ul style="list-style-type: none"> <li>• authority to approve the keeping of bees under the <i>Health Local Law 2023</i>.</li> <li>• authority under the <i>Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2020</i> to approve Infrastructure Deposits.</li> </ul> <p>The sub delegated powers to the <b>Manager Environmental Health and Statutory Building</b> are limited to:</p> <ul style="list-style-type: none"> <li>• authority to approve the keeping of bees under the <i>Health Local Law 2023</i>.</li> </ul> <p>The sub delegated powers to the <b>Director of Community Services</b> are limited to:</p> <ul style="list-style-type: none"> <li>• authority under the <i>Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2020</i> to approve Infrastructure Deposits</li> <li>• authority under the <i>Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2020</i> to approve a stallholder permit and a trader permit.</li> <li>• the power under the <i>Keeping and Control of Cats Local Law 2023</i> to grant a permit to keep a maximum of 6 cats at a premises and to impose conditions on that permit.</li> <li>• authority under the <i>Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2020</i> to approve a stallholder permit and a traders permit.</li> <li>• authority to approve residential private parking agreements under the <i>Parking and Parking Facilities Local Law 2016</i>.</li> <li>• authority under the <i>Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2020</i> to approve the display of temporary advertising signs</li> </ul> <p>The sub delegated powers to the <b>Manager Building Works</b> are limited to:</p> <ul style="list-style-type: none"> <li>• authority under the <i>Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2020</i> to approve Infrastructure Deposits</li> </ul> <p>The sub delegated powers to the <b>Manager Transport and Buildings</b> are limited to:</p> <ul style="list-style-type: none"> <li>• authority under the <i>Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2020</i> to approve Infrastructure Deposits</li> </ul> <p>The sub delegated powers to the <b>Manager Statutory Planning and Compliance</b> are limited to:</p> <ul style="list-style-type: none"> <li>• authority under the <i>Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2020</i> to approve a stallholder permit and a trader permit.</li> </ul>
<p><b>Subdelegates</b></p>	<p>Building Operations Manager          Director Community Services          Director Infrastructure and Assets          Manager Environmental Health and Statutory Building          Manager Rangers and Security          Manager Statutory Planning and Compliance          Manager Transport and Buildings</p>

<b>Statutory framework</b>	<i>Health Local Law 2023</i> <i>Health Amendment Local Law 2024</i> <i>Fencing and Floodlighting Local Law 2016</i> <i>Local Government Property Local Law 2016</i> <i>Parking and Parking Facilities Local Law 2016</i> <i>Keeping and Control of Cats Local Law and Amendment Local Law 2023</i> <i>Dogs Local Law 2016</i> <i>Standing Orders Local Law 2021</i> <i>Activities On Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2021</i> <i>Waste Local Law 2020</i> <i>Waste Amendment Local Law 2022</i>
<b>Policy</b>	Mobile Food Vehicles Policy Street Verges Policy
<b>Date adopted</b>	26 October 2020
<b>Adoption references</b>	ECM Document Set ID 3042153

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
29 Oct 2021	Amended delegation	Added position of Manager Environmental Health and Statutory Building to subdelegates list. Removed position of Manager Environmental Health from subdelegates list.	Administrative Change
29 Oct 2021	Amended delegation	Added position of Director Major Projects and Commercial Activities (60915) to subdelegates list. Removed position of Director Major Projects from subdelegates list.	Administrative Change
19 Jul 2024	Amended delegation	Added correct position title for Director Infrastructure and Assets. Removed old position title and removed Director Major Projects position title.	---

<b>Delegation</b>	<b>LL-D02 Local Laws Appointment of an Authorised Person</b>
<b>Category</b>	Local Laws
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority to appoint authorised persons for the following local laws (s.9.10 <i>LG Act 1995</i> ) <ul style="list-style-type: none"> <li>• <i>Local Government Property Local Law 2016</i></li> <li>• <i>Parking and Parking Facilities Local Law 2016</i></li> <li>• <i>Keeping and Control of Cats Local Law 2022</i></li> <li>• <i>Activities On Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2020</i></li> </ul>
<b>Delegates</b>	CEO
<b>Conditions</b>	Officers must be appointed as authorised persons for the purposes of the local laws and certified as per the requirements of the <i>Local Government Act 1995</i> .
<b>Statutory framework</b>	<i>Local Government Act 1995</i> : <ul style="list-style-type: none"> <li>• s.9.10 Appointment of authorised persons.</li> </ul>
<b>Policy</b>	Nil
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	OCM 12 Sep 2017 Agenda Item 11.3

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
9 Dec 2021	Amended delegation	Delegation LL-D02 Local Law Appointment of Authorised Officer amended to reflect legislative change to "Authorised Persons".	Section 9.10 Local Government Act 1995

<b>Delegation</b>	<b>LL-D03 Local Laws Appointment of an Authorised Person Dog Act</b>
<b>Category</b>	Local Laws
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority to appoint authorised persons, for the Dogs Local Law, for the purposes of section 29 of the <i>Dog Act 1976</i> .
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Statutory framework</b>	<i>Dog Act 1976</i>
<b>Policy</b>	Nil
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	OCM 12 Sep agenda item 11.3 ECM Ref: 3034906

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
9 Dec 2021	Amended delegation	Delegation LL-D03 Local Laws Appointment of an Authorised Officer Dog Act wording amended to reflect legislative amendment to reflect "Authorised Persons".	Section 29 Dog Act 1976 and Section 9.10 Local Government Act 1995.

<b>Delegation</b>	<b>LL-D04 Bee Keeping Health Local Laws 2001</b>
<b>Category</b>	Local Laws
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority to approve the keeping of bees in accordance with Part 6, Division 7 - Bee Keeping, of the <i>City of Bayswater Health Local Laws 2023</i> .
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Statutory framework</b>	<i>City of Bayswater Health Local Laws 2023</i>
<b>Policy</b>	Nil
<b>Date adopted</b>	15 November 2016
<b>Adoption references</b>	OCM 15 Nov 2016 Agenda Item 13.7



## Miscellaneous

<b>Delegation</b>	<b>BFA-D01 Bush Fires Act 1954 General Powers and Duties</b>
<b>Category</b>	Miscellaneous
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority to perform the functions of the local government under the <i>Bush Fires Act 1954</i> . These powers include, but are not necessarily limited to the prosecution of offences and the appointment of bush fire control officers.
<b>Delegates</b>	CEO
<b>Conditions</b>	There is no power under the <i>Bush Fires Act 1954</i> for the CEO to sub-delegate this power.
<b>Statutory framework</b>	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none"> <li>• s.48(1) Delegation by Local Government</li> <li>• s.35(5a)</li> </ul>
<b>Policy</b>	Nil
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	OCM 12 Sep 2017 Agenda Item 11.3 ECM: 3034906

<b>Delegation</b>	<b>COVA-D01 Control of Vehicles (Off-road Areas) Act 1978 General powers and duties</b>
<b>Category</b>	Miscellaneous
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority to exercise the powers or discharge the duties of the local government under the <i>Control of Vehicles (Off- Road Areas) Act 1978</i> .
<b>Delegates</b>	CEO
<b>Conditions</b>	There is no capacity to sub-delegate under the <i>Control of Vehicles (Off-road Areas) Act 1978</i> General powers and duties.
<b>Statutory framework</b>	<i>Control of Vehicles (Off-road Areas) Act 1978:</i> <ul style="list-style-type: none"> <li>• s.5 - Local government's functions</li> </ul>
<b>Policy</b>	Nil
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	OCM 12 Sep 2017 Agenda Item 11.3 ECM Ref: 3034906

<b>Delegation</b>	<b>CPCGA-D01 Caravan Parks and Camping Grounds Act 1995 Temporary Accommodation</b>
<b>Category</b>	Miscellaneous
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority to grant approval to a person to camp on land other than at a caravan park or camping ground (r11 <i>CP&amp;CG Act 1995</i> ).
<b>Delegates</b>	CEO
<b>Conditions</b>	There is no power to sub-delegate under the <i>Caravan Parks and Camping Grounds Act 1995</i> .  Approval to be for a maximum of 3 months in total.
<b>Statutory framework</b>	<i>Caravan Parks and Camping Grounds Act 1995</i> : <ul style="list-style-type: none"> <li>• s.28</li> </ul> <i>Caravan Parks and Camping Grounds Regulations 1997</i> : <ul style="list-style-type: none"> <li>• r.6 Performance of local government functions by authorised persons</li> <li>• r.11 Camping other than at caravan parks or camping grounds</li> </ul>
<b>Policy</b>	Nil
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	OCM 12 Sep 2017 Agenda Item 11.3 ECM Ref: 3034906

<b>Delegation</b>	<b>LGMPA-D01 Local Government (Miscellaneous Provisions) Act 1960 - Appointment of Pound Keepers and Rangers</b>
<b>Category</b>	Miscellaneous
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority to establish pounds and appoint fit and proper persons to be pound keepers and Rangers of the City of Bayswater (s.449 LG Act 1995)
<b>Function</b>	
<b>Delegates</b>	CEO
<b>Conditions</b>	Local Public Notice of the appointment or removal of pound keepers and rangers and the establishment of pounds is required by the <i>Local Government (Miscellaneous Provisions) Act 1960</i> . <i>There is no authority to sub delegate.</i>
<b>Statutory framework</b>	<p><i>Local Government (Miscellaneous Provisions) Act 1960:</i></p> <ul style="list-style-type: none"> <li>• s.449- Local government may establish pounds, appoint pound keepers and rangers</li> <li>• s.2 -Act to be read as part of <i>Local Government Act 1995</i></li> </ul>
<b>Policy</b>	Nil
<b>Date adopted</b>	12 September 2017
<b>Adoption references</b>	OCM 12 Sep 2017 Agenda Item 11.3 ECM Ref: 3034906

## Planning

<b>Delegation</b>	<b>TP-D01 Local Planning Schemes</b>
<b>Category</b>	Planning
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	<p>Authority to exercise all powers and duties under all Local Planning Schemes in operation within the City of Bayswater with exception of the following:</p> <ul style="list-style-type: none"> <li>• adopt, amend or refuse local planning policies;</li> <li>• enter, modify or remove a place from the heritage list;</li> <li>• adopt, modify or revoke a heritage area;</li> <li>• recommend approval, modification or refusal of a structure plan to the Western Australian Planning Commission;</li> <li>• recommend approval, modification or refusal of an activity centre plan to the Western Australian Planning Commission;</li> <li>• approve, modify or refuse a local development plan;</li> <li>• determine development applications (excluding development applications for prescribed single house development) involving the following: <ul style="list-style-type: none"> <li>◦ An estimated cost of \$3 million or more and is not a Development Assessment Panel application. <ul style="list-style-type: none"> <li>◦ This does not apply to a development in the Tonkin Highway Industrial Estate.</li> </ul> </li> <li>◦ Building height variation equal to or greater than 2.0m, or where building height requirements refer only to the number of storeys, one or more additional storeys;</li> <li>◦ Car bay variation in excess of 25% of the total car bays required;</li> <li>◦ Development located in a place that is entered in the Register of Heritage Places under the Heritage of Western Australia Act 1990, or is included on a heritage list prepared in accordance with a local planning scheme with a management category 1, 2 and 3 and the application proposes significant removal of original heritage fabric.</li> <li>◦ Unwarranted street tree removal</li> <li>◦ Receipt of: <ul style="list-style-type: none"> <li>◦ 11 or more planning based written submissions of objection from properties adjoining the development site; and</li> </ul> </li> </ul> </li> <li>• enter into an agreement in respect of a matter relating to the scheme with any person having an interest in land affected by the scheme, and deal with or dispose of any land acquired in accordance with Part 11, Division 4 of the Planning and Development Act 2005.</li> </ul> <p>This delegation excludes any powers or duties limited under Section 5.43 of the Local Government Act 1995, including a power or duty that requires a decision of an absolute majority or a 75% majority of the local government.</p>
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Subdelegates</b>	Coordinator Statutory Building Coordinator Statutory Planning Director Community Services Manager Environmental Health and Statutory Building Manager Statutory Planning and Compliance

<b>Policy</b>	Nil
<b>Date adopted</b>	19 September 2017
<b>Adoption references</b>	ECM Ref: 3025245 Amended OCM 06 December 2022 Agenda item 10.1.2

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
2 Aug 2021	Amended delegation	Coordinator Statutory Planning role added to subdelegates list.	Administrative Change
14 Oct 2021	Amended delegation	Added delegation TP-D01 Local Planning Schemes to amended position of Manager Environmental Health and Statutory Services.	Administrative Change
29 Oct 2021	Amended delegation	Added position of Manager Environmental Health and Statutory Building to subdelegates list. Removed position of Manager Environmental Health from subdelegates list.	Administrative Change
6 Dec 2022	Amended delegation	Added Additional details on Cost of Development, Car Parking, Heritage, Number of Objections and Warranted Tree Removal.	Administrative Change

<b>Delegation</b>	<b>TP-D02 Planning and Development Act 2005</b>
<b>Category</b>	Planning
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	<p>Authority to give a written direction:</p> <ul style="list-style-type: none"> <li>• to the owner or any other person undertaking development to stop, and not recommence, the development or that part of the development that is undertaken in contravention of the planning scheme, interim development order or planning control area requirements (s.214(2) <i>PD Act 2005</i>);</li> <li>• to the owner or any other person who undertook the development (s.214(3) <i>PD Act 2005</i>); <ul style="list-style-type: none"> <li>◦ to remove, pull down, take up, or alter the development; and</li> <li>◦ to restore the land as nearly as practicable to its condition immediately before the development started;</li> </ul> </li> <li>• if it appears that delay in the execution of any work to be executed under a planning scheme or interim development order would prejudice the effective operation of the planning scheme or interim development order, a written direction may be given to the person whose duty it is to execute the work to execute that work (s.214(5) <i>PD Act 2005</i>).</li> </ul>
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil.
<b>Subdelegates</b>	Director Community Services Manager Statutory Planning and Compliance
<b>Subdelegate conditions</b>	<p>Authority is given to the <b>Director Community Services</b> under section 231 and 230:</p> <ul style="list-style-type: none"> <li>• Withdrawal of infringement notice</li> <li>• extending time to pay modified penalty.</li> </ul> <p>Authority is given to the <b>Manager Statutory Planning and Compliance</b> under section 228:</p> <ul style="list-style-type: none"> <li>• power for giving of infringement notice.</li> </ul>
<b>Statutory framework</b>	<p><i>Planning and Development Act 2005</i>: All powers and duties under</p> <ul style="list-style-type: none"> <li>• s.214(2), (3) and (5) illegal development, responsible authority's powers as to</li> <li>• s.228 Giving of infringement notice</li> <li>• s.230 Extending time to pay modified penalty</li> <li>• s.231 Withdrawal of infringement notice</li> </ul> <p>Existing delegation of section 228, 230 and 231 are not valid, there is no power to delegate these under the <i>Local Government Act 1995</i>.</p>
<b>Policy</b>	Nil
<b>Date adopted</b>	19 September 2017
<b>Adoption references</b>	ECM ref number 3025245

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
14 Dec 2023	Amended delegation	Amended references to "Legislation" and "Statutory Framework" Sections.	Administrative Amendment



<b>Delegation</b>	<b>TP-D03 Development Assessment Panels</b>
<b>Category</b>	Planning
<b>Delegator</b>	Council
<b>Express power or duty delegated</b>	Authority to prepare responsible authority reports and make recommendations to the Joint Development Assessment Panel (DAP).
<b>Delegates</b>	CEO
<b>Conditions</b>	City officers inform Councillors of receipt of any DAP application, the details of the proposal and the DAP meeting details of when the application will be considered by the DAP.
<b>Subdelegates</b>	Director Community Services Manager Statutory Planning and Compliance
<b>Statutory framework</b>	<i>Planning and Development Act 2005</i> <i>Planning and Development (Development Assessment Panels) Regulations 2011</i>
<b>Policy</b>	Nil
<b>Date adopted</b>	6 December 2022
<b>Adoption references</b>	OCM 06 December 2022 Agenda Item 10.1.2

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
6 Dec 2022	New delegation	Added new delegation - TP- D03 Development Assessment Panels	OCM 6 December 2022

## AMENDMENTS

<b>Delegation</b>	<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
BA-D02 Building Act 2011 Applications for building or demolition permits and Applications for occupancy permits and other certificates	14 Oct 2021	Amended delegation	Added delegation BA-D02 Building Act 2011 Applications for Building or Demolition Permits and applications for Occupancy Permits and other certificates to amended position of Manager Environmental Health and Statutory Services.	Administrative Change
BA-D02 Building Act 2011 Applications for building or demolition permits and Applications for occupancy permits and other certificates	29 Oct 2021	Amended delegation	Added position of Manager Environmental Health and Statutory Building to subdelegates list. Removed position of Manager Environmental Health from subdelegates list.	Administrative Change
BA-D04 Building Act 2011 Commence a prosecution	14 Oct 2021	Amended delegation	Added delegation BA-D04 Building Act 2011 Commerce a prosecution to amended position of Manager Environmental Health and Statutory Services.	Administrative Change
BA-D04 Building Act 2011 Commence a prosecution	29 Oct 2021	Amended delegation	Added position of Manager Environmental Health and Statutory Building to subdelegates list. Removed position of Manager Environmental Health from subdelegates list.	Administrative Change
BA-D05 Building Act 2011 - Extension of time for permit	14 Oct 2021	Amended delegation	Added delegation BA-D05 Building Act 2011 Extension of time for permit to amended position of Manager Environmental Health and Statutory Services.	Administrative Change
COP-D02 Power to certify that a document is a true copy	29 Oct 2021	Amended delegation	Added position of Director Major Projects and Commercial Activities (60915) to Delegates list. Removed position of Director Major Projects from Delegates list.	Administrative Change
COP-D02 Power to certify that a document is a true copy	1 May 2023	Amended delegation	Added Delegation COP - D02 Power to Certify that a Document is a Correct Copy to position of Director Corporate Services.	Administrative Change
COP-D03 Proving ownership, occupancy, and other things by certificate	29 Oct 2021	Amended delegation	Added position of Director Major Projects and Commercial Activities (60915) to Delegates list. Removed position of Director Major Projects from Delegates list.	Administrative Change

<b>Delegation</b>	<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
COP-D03 Proving ownership, occupancy, and other things by certificate	1 May 2023	Amended delegation	Added Delegation - COP-D03 Proving Ownership, Occupancy and other things by Certificate.	Administrative Change
EF-D02 Execution of Documents	27 Aug 2021	Amended delegation	Added the role of Principal, Library and Customer Services role to the Subdelegates list.	Administrative Change
EF-D02 Execution of Documents	29 Oct 2021	Amended delegation	Added Manager Recreation and Commercial Activities (60959) and Principal, Engineer Major Projects (60954) to the subdelegates list. Removed Manager Asset and Mapping Services, Manager Recreation, Coordinator Depot Services and Manager Communications and Marketing, Principal, Communications and Marketing (60956), Principal, Community Engagement (60968), Principal, Asset and Mapping Services (60961), from subdelegates list.	Administrative Change
EF-D02 Execution of Documents	29 Oct 2021	Amended delegation	Added position of Director Major Projects and Commercial Activities (60915) to subdelegates list. Removed position of Director Major Projects from subdelegates list.	Administrative Change
EF-D02 Execution of Documents	6 Dec 2022	Amended delegation	Added Principal positions to sub delegation list.	Administrative Change
EF-D02 Execution of Documents	23 Dec 2022	Amended delegation	Added delegation of EF-D02 Execution of Documents to the positions of Manager Business Services and Manager Governance, Organisational Planning and Development.	Administrative Change
EF-D02 Execution of Documents	3 Jan 2023	Amended delegation	Added delegation of EF-D02 Execution of Documents to position of Manager Business Solutions.	Administrative Change
EF-D02 Execution of Documents	1 May 2023	Amended delegation	Added Delegation EF-D02 Execution of Documents to position of Director Corporate Services.	Administrative Change
EF-D02 Execution of Documents	5 Mar 2024	Amended delegation	Added position title of Planning Performance and Risk Manager.	Administrative Amendment

<b>Delegation</b>	<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
EF-D02 Execution of Documents	8 Mar 2024	Amended delegation	Removed position title of Manager Governance Organisational Planning and Development and replaced with position title of Manager Governance and Strategy.	Administrative Amendment
EF-D02 Execution of Documents	25 Jun 2024	Amended delegation	Amendments made to the Conditions section by Council stating that "All documents are to be executed in accordance with the Execution of Documents and Application of Common Seal Policy" and all subdelegates also removed.	OCM 25 June 2024 Item 10.1.4
EF-D03 Powers of Entry	29 Oct 2021	Amended delegation	Added position of Manager Environmental Health and Statutory Building to subdelegates list. Removed position of Manager Environmental Health from subdelegates list.	Administrative Change
EF-D04 Notices requiring certain things to be done by owner or occupier of land	29 Oct 2021	Amended delegation	Added position of Manager Environmental Health and Statutory Building to subdelegates list. Removed position of Manager Environmental Health from subdelegates list.	Administrative Change
EF-D04 Notices requiring certain things to be done by owner or occupier of land	29 Oct 2021	Amended delegation	Added position of Director Major Projects and Commercial Activities (60915) to subdelegates list. Removed position of Director Major Projects from subdelegates list.	Administrative Change
EF-D05 Disposing of Property	29 Oct 2021	Amended delegation	Added position of Director Major Projects and Commercial Activities (60915) to subdelegates list. Removed position of Director Major Projects from subdelegates list.	Administrative Change
EF-D05 Disposing of Property	9 Nov 2022	Amended delegation	Reference made to the City's current Management Practice - Disposal of Goods and Equipment (Minor Assets).	Administrative Change
EF-D06 Recovery of Impounding Expenses	12 Dec 2023	Amended delegation	Amended some legislation references in the "Express Power or Duty Delegated" section.	Administrative Amendment.
EF-D08 Reserves under the Control of Local Government	29 Oct 2021	Amended delegation	Added position of Director Major Projects and Commercial Activities (60915) to subdelegates list. Removed position of Director Major Projects from subdelegates list.	Administrative Change

<b>Delegation</b>	<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
EF-D09 Temporary and Partial Closure of Roads	29 Oct 2021	Amended delegation	Added Principal, Engineer Major Projects to subdelegates list. Removed Manager Engineering Services from subdelegates list.	Administrative Change
EF-D09 Temporary and Partial Closure of Roads	29 Oct 2021	Amended delegation	Added position of Director Major Projects and Commercial Activities (60915) to subdelegates list. Removed position of Director Major Projects from subdelegates list.	Administrative Change
EF-D09 Temporary and Partial Closure of Roads	29 Nov 2021	Amended delegation	Added position of Engineer (60841) to subdelegates list.	Administrative Change
EF-D09 Temporary and Partial Closure of Roads	20 Sep 2022	Amended delegation	Removed position title Engineer from Delegates list.	Administrative change.
EF-D10 Activities Private Land	29 Oct 2021	Amended delegation	Added position of Director Major Projects and Commercial Activities (60915) to subdelegates list. Removed position of Director Major Projects from subdelegates list.	Administrative Change
EF-D11 Leasing Agreements	3 Dec 2019	New delegation	03 December 2019	OCM 03 2019
EF-D11 Leasing Agreements	6 Dec 2022	Amended delegation	Increased CEO's delegation to enter into a lease up to \$150,000.	Administrative Change OCM 6 December 2022
EF-D11 Leasing Agreements	1 May 2023	Amended delegation	Added Delegation EF-D11 Leasing Agreements to position of Director Corporate Services.	Administrative Change
EF-D11 Leasing Agreements	12 Dec 2023	Amended delegation	Amended delegation by removing the details under "Express Power or Duty Delegated" and transferring these to the "Conditions" section.	Administrative Amendment
FM-D01 Power to Invest	3 Jan 2023	Amended delegation	Added delegation FM-D01 Power to Invest to position of Manager Business Solutions.	Administrative Change
FM-D01 Power to Invest	1 May 2023	Amended delegation	Added Delegation FM-D01 Power to Invest to position of Director Corporate Services.	Administrative Change.

<b>Delegation</b>	<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
FM-D02 Acceptance of Quotations, Tenders and Expressions of Interest	6 Dec 2022	Amended delegation	Increased acceptance of tenders for CEO position up to \$250,000 and added in sub delegate positions of: Director Community and Development Director Corporate and Strategy Director Major Projects and Commercial Activities Director Works and Infrastructure up to \$150,000 in accordance with their financial delegation	Administrative Change
FM-D02 Acceptance of Quotations, Tenders and Expressions of Interest	1 May 2023	Amended delegation	Added Delegation FM-D02 Acceptance of Tenders and Quotations to position of Director Corporate Services.	Administrative Change.
FM-D02 Acceptance of Quotations, Tenders and Expressions of Interest	25 Jun 2024	Amended delegation	Conditions amended by Council as part of Annual Delegations Review to include quotations and Expressions of Interest and the City's Procurement Policy and Contract Management Policy.	OCM 25 June 2024 Item 10.1.4
FM-D03 Calling of Tenders	29 Oct 2021	Amended delegation	Added position of Director Major Projects and Commercial Activities (60915) to subdelegates list. Removed position of Director Major Projects from subdelegates list.	Administrative Change
FM-D03 Calling of Tenders	1 May 2023	Amended delegation	Added Delegation FM-D03 Calling of Tenders to position of Director Corporate Services.	Administrative Change
FM-D04 Payments from the Municipal and Trust Funds	29 Oct 2021	Amended delegation	Added position of Director Major Projects and Commercial Activities (60915) to subdelegates list. Removed position of Director Major Projects from subdelegates list.	Administrative Change
FM-D04 Payments from the Municipal and Trust Funds	3 Jan 2023	Amended delegation	Added delegation FMD04- Payments from the Municipal and Trust Funds to position of Manager Business Solutions.	Administrative Change
FM-D04 Payments from the Municipal and Trust Funds	1 May 2023	Amended delegation	Added Delegation FM-D04 Payments from the Municipal and Trust Funds.	Administrative Change

<b>Delegation</b>	<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
FM-D04 Payments from the Municipal and Trust Funds	15 Jun 2023	Amended delegation	Added the positions of Manager Business Services (61002), Senior Accountant (60480) and Senior Management Accountant (61033) to delegation FM-D04A - Authority to incur expenses and apply money from the Municipal Fund Account.	Administrative Change
FM-D04A Authority to incur expenses and apply money from the Municipal Fund Account	25 Jun 2024	Revoked	Delegation FM-D04A - Authority to incur expenses and apply money from the Municipal Fund Account repealed at OCM on 25 June 2024.	OCM 25 June 2024 - Item 10.1.4
FM-D05 Granting Concessions and Write-Offs	27 Aug 2021	Amended delegation	Added the role of Principal, Library and Customer Services role to the Subdelegates list.	Administrative Change
FM-D05 Granting Concessions and Write-Offs	29 Oct 2021	Amended delegation	Added position of Manager Recreation and Commercial Activities to subdelegates list. Removed position of Manager Recreation from subdelegates list.	Administrative Change
FM-D05 Granting Concessions and Write-Offs	20 Sep 2022	Amended delegation	Amended Delegation FM-D05 Granting Concessions and Write-Offs to authorise the Chief Executive Officer to waive or write off application and permit fees for charitable organisations up to \$1,200.	Administrative Amendment - Ordinary Council Meeting 20 September 2022 Item 10.6.2.3.
FM-D05 Granting Concessions and Write-Offs	3 Jan 2023	Amended delegation	Added delegation FMD05-Granting Concessions and Write-Offs to position of Manager Business Solutions.	Administrative Change
FM-D05 Granting Concessions and Write-Offs	1 May 2023	Amended delegation	Added Delegation - FM-D05 - Granting Concessions and Write-Offs to position of Director Corporate Services.	Administrative Change
FM-D05 Granting Concessions and Write-Offs	25 Jun 2024	Amended delegation	Amendments made to the conditions section by Council to only list the what the CEO may do.	OCM 25 June 2024 Item 10.1.4
FM-D06 Recovery of Unpaid Rates or Service Charge	1 May 2023	Amended delegation	Added Delegation FM-D06 - Recovery of Unpaid Rates or Service Charge to position of Director Corporate Services.	Administrative Change
FM-D06 Recovery of Unpaid Rates or Service Charge	10 Oct 2023	Amended delegation	Added sub delegation position of Manager Financial Services and Rates Coordinator.	Administrative Change

<b>Delegation</b>	<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
FM-D06 Recovery of Unpaid Rates or Service Charge	12 Dec 2023	Amended delegation	Amendments made to legislation referenced in the 'Express Power or Duty Delegated' section as well in the "Statutory Framework" section.	Administrative Amendment
FM-D07 Community Funding Grants	3 Dec 2019	New delegation	03 December 2019	OCM 03 December 2019
FM-D07 Community Funding Grants	27 Aug 2021	Amended delegation	Added the role of Principal, Library and Customer Services role to the Subdelegates list.	Administrative Change
FM-D07 Community Funding Grants	29 Oct 2021	Amended delegation	Added position of Manager Environmental Health and Statutory Building (60873) to subdelegates list.  Removed Manager Communications and Marketing, Community Engagement Advisor, Manager Asset and Mapping Services and Manager Environmental Health, Principal, Communications and Marketing (60956), Principal, Community Engagement (60968), and Principal Asset and Mapping Services (60961) from subdelegates list.	Administrative Change
FM-D07 Community Funding Grants	29 Oct 2021	Amended delegation	Added position of Manager Recreation and Commercial Activities to subdelegates list. Removed position of Manager Recreation from subdelegates list.	Administrative Change
FM-D07 Community Funding Grants	29 Oct 2021	Amended delegation	Added position of Director Major Projects and Commercial Activities (60915) to subdelegates list. Removed position of Director Major Projects from subdelegates list.	Administrative Change
FM-D07 Community Funding Grants	29 Oct 2021	Amended delegation	Removed Coordinator Depot Services from subdelegates list.	Administrative Change
FM-D07 Community Funding Grants	10 Nov 2021	Amended delegation	Added position of Principal, Library and Customer Services to subdelegates list.	Administrative Change
FM-D07 Community Funding Grants	1 May 2023	Amended delegation	Added Delegation - FM-D07 - Community Funding Grants to position of Director Corporate Services.	Administrative Change
FM-D07 Community Funding Grants	10 Oct 2023	Amended delegation	Added in in the words "within approved budget" under the "Express power or duty delegated" section".	Administrative Change



<b>Delegation</b>	<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
FM-D08 Acceptance of Contract Extensions and Variations	5 May 2020	New delegation	05 May 2020	SCM 05 May 2020
FM-D08 Acceptance of Contract Extensions and Variations	29 Oct 2021	Amended delegation	Added position of Director Major Projects and Commercial Activities (60915) to subdelegates list. Removed position of Director Major Projects from subdelegates list.	Administrative Change
FM-D08 Acceptance of Contract Extensions and Variations	6 Dec 2022	Amended delegation	FM-D08 Acceptance of Contract Extensions and Variations Updated delegation to remove reference to COVID-19 provisions due to the State of Emergency being removed.	Administrative Change
FM-D08 Acceptance of Contract Extensions and Variations	1 May 2023	Amended delegation	Added Delegation FM-D08 - Acceptance of Contract Extensions and Variations to position of Director Corporate Services.	Administrative Change
FM-D09 CEO to Write off Rates for the Mertome Lease for Life Tenants who have Occupied the Facility Prior to 1 April 2019	6 Dec 2022	New delegation	New delegation created - FM - 09 Write off Rates for the Mertome Lease for Life Tenants.	OCM 06 2022
FM-D09 CEO to Write off Rates for the Mertome Lease for Life Tenants who have Occupied the Facility Prior to 1 April 2019	1 May 2023	Amended delegation	Added Delegation - FM-D09 - CEO to Write off Rates for the Mertome Lease for Life Tenants who have Occupied the Facility Prior to 1 April 2019 to position of Director Corporate Services.	Administrative Change
FM-D10 Objection to a Rate Record	25 Jun 2024	New delegation	New Delegation added - FM-D10 Objection to a Rate Record	OCM 25 June 2024
LGA-01 Acknowledgement of receipt of primary and annual returns	3 Sep 2024	New delegation	Delegation from CEO to Manager Governance and Strategy - Authority to Acknowledge Primary and Annual Returns in accordance with s.577 LGA 1995.	Memo from Manager Governance and Strategy to CEO approved on 3 September 2024. ECM:4805245.
LGR-D01 Obstruction of public thoroughfare	14 Oct 2021	Amended delegation	Added delegation of LGR-D01 Local Government Act Obstruction of Public Thoroughfare to amended position of Manager Environmental Health and Statutory Services.	Administrative Change

<b>Delegation</b>	<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
LGR-D01 Obstruction of public thoroughfare	29 Oct 2021	Amended delegation	Added position of Manager Environmental Health and Statutory Building (60873) to subdelegates list. Removed position of Manager Environmental Health from subdelegates list.	Administrative Change
LGR-D01 Obstruction of public thoroughfare	5 Nov 2021	Amended delegation	Removed Manager Strategic Planning and Place, and Planning Manager Major Projects from the subdelegates list.	Administrative Change
LL-D01 Local Laws - General Administration	29 Oct 2021	Amended delegation	Added position of Manager Environmental Health and Statutory Building to subdelegates list. Removed position of Manager Environmental Health from subdelegates list.	Administrative Change
LL-D01 Local Laws - General Administration	29 Oct 2021	Amended delegation	Added position of Director Major Projects and Commercial Activities (60915) to subdelegates list. Removed position of Director Major Projects from subdelegates list.	Administrative Change
LL-D01 Local Laws - General Administration	19 Jul 2024	Amended delegation	Added correct position title for Director Infrastructure and Assets. Removed old position title and removed Director Major Projects position title.	Nil
LL-D02 Local Laws Appointment of an Authorised Person	9 Dec 2021	Amended delegation	Delegation LL-D02 Local Law Appointment of Authorised Officer amended to reflect legislative change to "Authorised Persons".	Section 9.10 Local Government Act 1995
LL-D03 Local Laws Appointment of an Authorised Person Dog Act	9 Dec 2021	Amended delegation	Delegation LL-D03 Local Laws Appointment of an Authorised Officer Dog Act wording amended to reflect legislative amendment to reflect "Authorised Persons".	Section 29 Dog Act 1976 and Section 9.10 Local Government Act 1995.
MCC-D01 Model Code of Conduct 2021 - Authority to Make a Finding on Division 3 Code of Conduct Complaints	16 Jul 2024	Amended delegation	Updated name of Councillor Complaints Policy to Code of Conduct Complaints Management Policy as the name of the Policy has been changed by the Council.	
TP-D01 Local Planning Schemes	2 Aug 2021	Amended delegation	Coordinator Statutory Planning role added to subdelegates list.	Administrative Change

<b>Delegation</b>	<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
TP-D01 Local Planning Schemes	14 Oct 2021	Amended delegation	Added delegation TP-D01 Local Planning Schemes to amended position of Manager Environmental Health and Statutory Services.	Administrative Change
TP-D01 Local Planning Schemes	29 Oct 2021	Amended delegation	Added position of Manager Environmental Health and Statutory Building to subdelegates list. Removed position of Manager Environmental Health from subdelegates list.	Administrative Change
TP-D01 Local Planning Schemes	6 Dec 2022	Amended delegation	Added Additional details on Cost of Development, Car Parking, Heritage, Number of Objections and Warranted Tree Removal.	Administrative Change
TP-D02 Planning and Development Act 2005	14 Dec 2023	Amended delegation	Amended references to "Legislation" and "Statutory Framework" Sections.	Administrative Amendment
TP-D03 Development Assessment Panels	6 Dec 2022	New delegation	Added new delegation - TP- D03 Development Assessment Panels	OCM 6 December 2022