



# Shire of Wongan-Ballidu

# DELEGATED AUTHORITY REGISTER 2021



**REVIEW**

Reviewed by	Date approved	Council Resolution
Council	24 February 2016	040216
Council	22 February 2017	020217
Council	28 February 2018	030218
Council	27 February 2019	040219
Council	25 March 2020	020320
Special	8 July 2020	050720
Council	23 September 2020	030920
Council	24 February 2021	040221

**AMENDMENTS**

Delegation	Council Meeting Date	Council Resolution	Amendment
DA 11 - Delegation: Legal Proceedings – Bushfire Act	22 February 2017	030217	This delegation was deleted as it was found to be a repeat of Delegation 4.
DA 18 – Delegation: Chief Executive Officer Review Committee	22 February 2017	030217	This delegation was deleted as Council no longer has the Committee.
All Delegations	22 February 2017	030217	Delegations were renumbered to account for deletions.
DA 38 – Disposal of Lot 1 Jensen Street, Wongan Hills, Lot 8 Ninghan Road, Wongan Hills and 2 Elphin Crescent, Wongan Hills	27 February 2019	040219	New delegation
DA 16 – Tenders	25 March 2020	020320	Repealed
DA 17 – Dog Act 1976 Section 10(AA)	25 March 2020	020320	Repealed
DA 18 – Cat Act 2011 Section 44	25 March 2020	020320	Repealed
DA 21 – Private Works on, Over, or Under Public Places	25 March 2020	020320	Repealed
DA 22 – Street Verge Treatments – Individual Properties	25 March 2020	020320	Repealed
DA 31 – Town Planning Functions	25 March 2020	020320	Repealed
DA 32 – Management/Agreement or Lease for Council owned Buildings, Facilities and Reserves	25 March 2020	020320	Repealed



<b>Delegation</b>	<b>Council Meeting Date</b>	<b>Council Resolution</b>	<b>Amendment</b>
DA 33 – Reserves Under Control of a Local Government	25 March 2020	020320	Repealed
DA 34 – Use Approval of Council Controlled Buildings	25 March 2020	020320	Repealed
DA 36 – Sale of Shields Crescent	25 March 2020	020320	Repealed
DA 38 – Disposal of Lot 1 Jensen Street, Wongan Hills, Lot 8 Ninghan Road, Wongan Hills and 2 Elphin Crescent, Wongan Hills	25 March 2020	020320	Repealed
DA39 – Sell Lot 166 Danubin Road, Wongan Hills	23 September 2020	030920	New delegation
DA 40 – Sell Shire Developed Lots on Shields Crescent	8 July 2020	050720	New delegation



## INTRODUCTION

*The Local Government Act 1995* provides a local government with the ability to delegate any of its powers or the authority discharge of any of its duties, other than those limited by (Section 5.43) or to a Committee (Section 5.17) and/or the Chief Executive Officer (Section 5.42).

In addition to the local government's ability to delegate, the Chief Executive Officer may also delegate (Section 5.44) to any employee of the local government the ability to exercise any of the Chief Executive Officer powers or discharge any of the Chief Executive Officer duties other than the power of delegation.

The Chief Executive Officer is to keep a register that records the delegations that are made to the Committees (Section 5.18) and the delegations that are made to the Chief Executive Officer and to employees of the local government (Section 5.46). The delegations register is to be reviewed by the delegator at least once every financial year.

## DELEGATIONS TO COMMITTEES

### DELEGATION OF SOME OF THE POWERS AND DUTIES TO CERTAIN COMMITTEES

A local government may delegate to a committee any of its powers and duties other than the power of delegation (Section 5.16), subject to certain limits (Section 5.17).

#### **Section 5.16 – Local Government Act 1995**

- (1) Absolute majority required to delegate and cannot delegate the power of delegation.
- (2) To be in writing and may be general or conditional.
- (3) Can be for a period of time or indefinite.
- (4) Doesn't prevent Council acting through another person

### LIMITS ON DELEGATION OF POWERS AND DUTIES TO CERTAIN COMMITTEES

The authority to delegate the powers and duties of a local government to a committee is subject to the provisions contained in (Section 5.17) and this depends on the type of committee structure that is in place, as determined by (Section 5.9).

#### **Section 5.17 – Local Government Act 1995**

- (1) Can delegate to a Committee, comprising of members only, specified powers or duties under the Act; except:
  - i. Any power or duty that requires a decision of an absolute majority or 75% majority of the local government; and
  - ii. Any other power or duty that is prescribed.To a Committee comprising Council Members and employees, any of the local government's powers or duties that can be delegated to the Chief Executive Officer.
- (2) To a Committee, which includes Council Members, employees and other persons; or Council Members and other persons; or employees and other persons, any of the



local governments powers or duties that are necessary or convenient for the proper management of –

- i. The local governments property; or
  - ii. An event in which the local government is involved.
- (3) A local government cannot delegate any of its powers or duties to a committee, which is comprised of other persons only.

## **REGISTER OF DELEGATIONS TO COMMITTEES**

### ***Section 5.18 – Local Government Act 1995***

A local government is to keep a register of delegations made to committees and these delegations are to be reviewed at least once in every financial year.

## **DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER**

### **DELEGATIONS OF SOME POWERS AND DUTIES TO THE CHIEF EXECUTIVE OFFICER**

A local government may delegate to the Chief Executive Officer any of its powers and duties other than the power of delegation (Section 5.42), subject to certain limits (Section 5.43).

### ***Section 5.42 – Local Government Act 1995***

- (1) Absolute majority required to delegate
- (2) To be in writing and may be general or conditional.

### **LIMITS ON DELEGATIONS TO CHIEF EXECUTIVE OFFICER**

The authority to delegate the powers and duties of a local government to the Chief Executive Officer is subject to the provisions contained in (Section 5.43).

### ***Section 5.43 – Local Government Act 1995***

A local government cannot delegate to the Chief Executive Officer any of the following powers or duties:

- a) That requires an absolute majority of Council or a 75% majority of Council;
- b) Accepting a tender which exceeds an amount determined by Council
- c) Appointing an auditor;
- d) Acquiring or disposing of any property valued at an amount exceeding an amount determined by the Council;
- e) Any of the local government's powers under Section 5.98, 5.99 or 5.100;
- f) Borrowing money on behalf of the local government
- g) Hearing or determining an objection of a kind referred in Section 9.5 of the Act;
- h) Any power or duty that requires Ministerial or Governors approval;
- i) Such other powers or duties that may be prescribed.

## **REGISTER OF, AND RECORDS RELEVANT TO DELEGATIONS TO CHIEF EXECUTIVE OFFICER**

### ***Section 5.46 – Local Government Act 1995***

The Chief Executive Officer is to keep a register of the delegations made to the Chief Executive Officer and these delegations are to be reviewed at least once in every financial year.



### ***DELEGATIONS FROM THE CHIEF EXECUTIVE OFFICER TO OTHER EMPLOYEES***

The Chief Executive Officer may delegate to any employee of the local government the right to exercise any of the Chief Executive Officer powers or the discharge of any of the Chief Executive Officer duties other than the power of delegation (Section 5.44).

#### ***Section 5.44 – Local Government Act 1995***

- A delegation must be in writing or in an instrument of delegation.
- Council delegation to the Chief Executive Officer and the Chief Executive Officers power to delegate are subject to any condition imposed by the Council on its delegation to the Chief Executive Officer.
- Chief Executive Officer has the ability to impose conditions or further conditions on a delegation; and
- The definition of ‘conditions’ includes qualifications, limitations or exceptions.

### **REGISTER OF, AND RECORDS RELEVANT TO DELEGATIONS TO CHIEF EXECUTIVE OFFICER**

#### ***Section 5.46 – Local Government At 1995***

The Chief Executive Officer is to keep a register of the delegations made by the Chief Executive Officer and these delegations are to be reviewed at least once in every financial year.

### **OTHER MATTERS RELEVANT TO DELEGATIONS**

- (1) Can be for a period of time or indefinite;
- (2) Absolute majority required to amend or revoke a delegation;
- (3) Nothing prevents Council from performing any of its functions by acting through another person other than the Chief Executive Officer: or
- (4) A Chief Executive Officer from performing any of his or her functions by acting through another person;
- (5) A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.

### **REGULATION 19 – LOCAL GOVERNMENT (ADMINISTRATION) REGULATIONS 1996**

“Where a power or duty has been delegated under the Act to the Chief Executive Officer or to any other local government employee, the person to who the power or duty has been delegated is to keep a written record of:

- a) How the person exercised the power or discharged the duty;
- b) When the person exercised the power or discharged the duty;
- c) The persons or classes of persons, other than council or Committee members of the local government, directly affected by the exercise of the power or the discharge of the duty.”



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**01**    *Payments from Municipal and Trust Funds*

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**Date of Delegation:**        28 February 2018  
**Delegation Resolution:**    040218  
**File Number:**                F1.1  
**Reviewed:**                    25 March 2020  
**Delegation Resolution:**    020320

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**SECTION/ACT:**

*Local Government Act 1995, Section 6.7, 6.9 and 6.10*

**OFFICER(S) UPON WHOM DELEGATION CONFERRED:**

Chief Executive Officer

**AUTHORITY DELEGATED:**

Council delegates the Chief Executive Officer is authorised to make payments from the Municipal and Trust Funds manually and electronically, including transferring funds to and from the Reserve accounts as allowed for in the budget as per the following condition.

**CONDITION:**

A listing of all payments made is to be presented to the next ordinary meeting of Council.





## 02 Donations

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**Date of Delegation:** 28 February 2018  
**Delegation Resolution:** 040218  
**File Number:** F1.1  
**Reviewed:** 25 March 2020  
**Delegation Resolution:** 020320

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**SECTION/ACT:**

*Local Government Act 1995, Section 5.42*

**OFFICER(S) UPON WHOM DELEGATION CONFERRED:**

Chief Executive Officer

**AUTHORITY DELEGATED:**

Council delegates authority to the Chief Executive Officer to grant requests for donations from Local Community Groups/Organisations, towards community-based activities, up to an amount of \$500 per donation subject to the relevant budget allocation.



### 03 Writing Off Debts

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**Date of Delegation:** 28 February 2018  
**Delegation Resolution:** 040218  
**File Number:** F1.1  
**Reviewed:** 25 March 2020  
**Delegation Resolution:** 020320

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**SECTION/ACT:**

*Local Government Act 1995, Section 6.12(c)*

**OFFICER(S) UPON WHOM DELEGATION CONFERRED:**

Chief Executive Officer

**AUTHORITY DELEGATED:**

1. Council delegates to the Chief Executive Officer authority to write off debts wherein the individual debt is not more than \$500. In exercising this authority, the Chief Executive Officer is to take into consideration Council Policy and the prospects of recovering the debt.
2. Council delegates to the Chief Executive Officer authority and power to write off any amount of money less than \$500, owed to the Shire of Wongan-Ballidu that in his opinion are a bad debt.
3. Council delegates to the Chief Executive Officer authority to write off amounts raised in error on all debtor and rate accounts.



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## 04 Authorised Persons

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**Date of Delegation:** 28 February 2018  
**Delegation Resolution:** 040218  
**File Number:** F1.8.7  
**Reviewed:** 25 March 2020  
**Delegation Resolution:** 020320

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**SECTION/ACT:**

*Local Government Act 1995, Section 9.10(1); Bush Fires Act 1995, Section 59(3) and Section 59(a); Control of Vehicles (Off Road Areas) Act 1978*

**OFFICER(S) UPON WHOM DELEGATION CONFERRED:**

Chief Executive Officer

**AUTHORITY DELEGATED:**

1. That the Ranger be appointed as an Authorised Officer under the *Control of Vehicles (Off-road Areas) Act 1978*
2. Council delegates authority to the Chief Executive Officer under section 59(3) of the *Bush Fires Act 1954* to institute and carry out proceedings for offences against the *Bush Fires Act 1954*.
3. Council delegates authority to the Ranger under section 59(3) of the *Bush Fires Act 1954* to issue infringements under section 59a of the *Bushfires Act 1954*.



## 05 Appointment of Authorised Persons

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**Date of Delegation:** 28 February 2018  
**Delegation Resolution:** 040218  
**File Number:** A2.22  
**Reviewed:** 25 March 2020  
**Delegation Resolution:** 020320

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**SECTION/ACT:**

*Local Government Act 1995, Section 9.10*

**OFFICER(S) UPON WHOM DELEGATION CONFERRED:**

Chief Executive Officer

**AUTHORITY DELEGATED:**

Council delegates to the Chief Executive Officer authority to appoint persons to exercise the powers of a Local Government under subdivisions 2, 3 and 4 of Division 3 of Part 3 and subdivisions 1 and 2 of Division 2, Part 9 of the *Local Government Act 1995*.

A person who is authorised to give infringement notices under Section 9.16 is not to be made an authorised person for the purposes of Section 9.17, 9.19 or 9.20. In this event the Chief Executive Officer is not an authorised person under Section 9.16 of the *Local Government Act 1995*.



**06 Enforcement and Legal Proceedings**

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**Date of Delegation:** 28 February 2018  
**Delegation Resolution:** 040218  
**File Number:** A2.22  
**Reviewed:** 25 March 2020  
**Delegation Resolution:** 020320

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**SECTION/ACT:**

*Local Government Act 1995, Section 3.39, 9.10, 5.42 and Litter Act 1979 Section 31 (2b)*

**OFFICER(S) UPON WHOM DELEGATION CONFERRED:**

Chief Executive Officer

**AUTHORITY DELEGATED:**

Council delegates to the Chief Executive Officer authority to appoint persons or classes of persons to be authorised for the purposes of performing particular functions for the enforcement of provision of the various Acts and instigate legal proceedings accordingly.



**07**    *Withdrawal of Infringement Notices*

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**Date of Delegation:**        28 February 2018  
**Delegation Resolution:**    040218  
**File Number:**                A2.22.1  
**Reviewed:**                    25 March 2020  
**Delegation Resolution:**    020320

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**SECTION/ACT:**

*Local Government Act 1995, Section 9.20*

**OFFICER(S) UPON WHOM DELEGATION CONFERRED:**

Chief Executive Officer

**AUTHORITY DELEGATED:**

Council delegates to the Chief Executive Officer authority to withdraw infringement notices issued under the *Local Government Act 1995, Dog Act 1976, Councils Local Laws* and the *Bush Fires Act 1954*.



**08** *Authorised Officers – Litter Act 1979*

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**Date of Delegation:** 28 February 2018  
**Delegation Resolution:** 040218  
**File Number:** A2.22.2  
**Reviewed:** 25 March 2020  
**Delegation Resolution:** 020320

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**SECTION/ACT:**

*Litter Act 1979*, Section 26 (1) (c)

**OFFICER(S) UPON WHOM DELEGATION CONFERRED:**

Chief Executive Officer

**AUTHORITY DELEGATED:**

Council delegates to the Chief Executive Officer authority to appoint “Authorised Officers” as detailed in the *Litter Act 1979*.



**09 Impounding of Goods**

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**Date of Delegation:** 28 February 2018  
**Delegation Resolution:** 040218  
**File Number:** L3.3  
**Reviewed:** 25 March 2020  
**Delegation Resolution:** 020320

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**SECTION/ACT:**

*Local Government Act 1995, Section 3.39*

**OFFICER(S) UPON WHOM DELEGATION CONFERRED:**

Chief Executive Officer

**AUTHORITY DELEGATED:**

Council delegates to the Chief Executive Officer authority to remove and impound any goods that are involved in a contravention that can lead to impounding.





**10** *Disposing of Confiscated or Uncollected Goods*

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**Date of Delegation:** 28 February 2018  
**Delegation Resolution:** 040218  
**File Number:** L3.3  
**Reviewed:** 25 March 2020  
**Delegation Resolution:** 020320

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**SECTION/ACT:**

*Local Government Act 1995, Section 3.47*

**OFFICER(S) UPON WHOM DELEGATION CONFERRED:**

Chief Executive Officer

**AUTHORITY DELEGATED:**

Council delegates to the Chief Executive Officer authority to dispose of any goods that have been impounded.



**11 Variation of Prohibited Burning Terms, Restricted Burning Times and/or Prescribed Conditions**

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**Date of Delegation:** 28 February 2018  
**Delegation Resolution:** 040218  
**File Number:** L1.4  
**Reviewed:** 25 March 2020  
**Delegation Resolution:** 020320

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**SECTION/ACT:**

*Bush Fires Act 1954, Section 17(10) and Section 18 (5)*

**OFFICER(S) UPON WHOM DELEGATION CONFERRED:**

Shire President, Chief Bush Fire Control Officer (jointly)

**AUTHORITY DELEGATED:**

To vary the prohibited burning times, restricted burning times and/or prescribed conditions.



## 12 Execution and Affixing of Common Seal to Documents

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**Date of Delegation:** 28 February 2018  
**Delegation Resolution:** 040218  
**File Number:** Common Seal Register  
**Reviewed:** 25 March 2020  
**Delegation Resolution:** 020320

---

**SECTION/ACT:**

*Local Government Act 1995* – Section 9.49A(3)

**OFFICER(S) UPON WHOM DELEGATION CONFERRED:**

Chief Executive Officer

**AUTHORITY DELEGATED:**

Notwithstanding the provisions of Section 9.49 of the *Local Government Act 1995*, Council delegates to the Chief Executive Officer authority to affix the Common Seal to documents to be executed by the Shire where such documents are consistent and in accord with a resolution of Council, Council Policy or a delegated power.



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**13 Staff Payments of Gratuities to Employees in Addition to Contract or Award**

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**Date of Delegation:** 28 February 2018  
**Delegation Resolution:** 040218  
**File Number:** F1.8.5  
**Reviewed:** 25 March 2020  
**Delegation Resolution:** 020320

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**SECTION/ACT:**

*Local Government Act 1995 – sections 5.42 and 5.50*

**OFFICER(S) UPON WHOM DELEGATION CONFERRED:**

Chief Executive Officer

**AUTHORITY DELEGATED:**

Council delegates to the Chief Executive Officer authority to implement in accordance with Council's policy relating to gratuities, to officers and employees who are retiring in accordance with Council's Policy.

**CONDITIONS:**

Subject to Budget Provision.



## 14 Disposal of Surplus Furniture & Equipment

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**Date of Delegation:** 28 February 2018  
**Delegation Resolution:** 040218  
**File Number:** A2.20.4  
**Reviewed:** 25 March 2020  
**Delegation Resolution:** 020320

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**SECTION/ACT:**

*Local Government Act 1995* – Sections 3.58, 5.42 and 5.43 and Local Government (Functions and General)

**OFFICER(S) UPON WHOM DELEGATION CONFERRED:**

Chief Executive Officer

**AUTHORITY DELEGATED:**

Council delegates its authority and power to the Chief Executive Officer to dispose of surplus furniture with a market value of less than \$20,000.



**15 Corporate Credit Card**

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**Date of Delegation:** 28 February 2018  
**Delegation Resolution:** 040218  
**File Number:** F1.9.2  
**Reviewed:** 25 March 2020  
**Delegation Resolution:** 020320

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**SECTION/ACT:**

*Local Government Act 1995*, Section 5.42, Section 5.44 and Section 6.5 and Regulation 11 of the Local Government (Financial Management) Regulations 1996. Sections 53 and 55 of the *Financial Administration and Audit Act 1985*.

**OFFICER(S) UPON WHOM DELEGATION CONFERRED:**

Chief Executive Officer

**AUTHORITY DELEGATED:**

Council delegates to the Chief Executive Office authority to make payments via the Corporate Credit Card in accordance with Council's Policy – Fuel and Credit Cards.



## 19 Temporary Road Closures

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**Date of Delegation:** 28 February 2018  
**Delegation Resolution:** 040218  
**File Number:** T3.2 & D9.2  
**Reviewed:** 25 March 2020  
**Delegation Resolution:** 020320

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**SECTION/ACT:**

*Local Government Act 1995*, Section 3.50A, 3.50[1], 3.50[1a], 3.50[4].3.50[6] and 3.50[8] and Road Traffic (Events on Roads) Regulations 1991

**OFFICER(S) UPON WHOM DELEGATION CONFERRED:**

Chief Executive Officer

**AUTHORITY DELEGATED:**

1. Council delegates to the Chief Executive Officer authority to temporarily close thoroughfares to vehicles.
2. Council delegates to the Chief Executive Officer authority to determine applications for the temporary closure of roads for the purpose of conducting events.



**20**    *Payment of Crossover Contribution*

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**Date of Delegation:**        28 February 2018  
**Delegation Resolution:**    040218  
**File Number:**                T1.9  
**Reviewed:**                    25 March 2020  
**Delegation Resolution:**    020320

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**SECTION/ACT:**

*Local Government Act 1995 – Section 5.42*

**OFFICER(S) UPON WHOM DELEGATION CONFERRED:**

Chief Executive Officer

**AUTHORITY DELEGATED:**

Council delegates to the Chief Executive Officer authority to pay Council's contribution to the construction of a crossover in accordance with Council's Policy - Vehicle Crossovers.





## 23 Seed Collection – Wildflower Picking

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**Date of Delegation:** 28 February 2018  
**Delegation Resolution:** 040218  
**File Number:** ES1.3.3  
**Reviewed:** 25 March 2020  
**Delegation Resolution:** 020320

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**SECTION/ACT:**

*Local Government Act 1995*

**OFFICER(S) UPON WHOM DELEGATION CONFERRED:**

Chief Executive Officer

**AUTHORITY DELEGATED:**

Council delegates to the Chief Executive Officer authority to grant approval to pick wildflowers on Council controlled reserves; and approval to collect seeds on Council controlled reserves.

**CONDITIONS:**

All applications to be in writing; preference given to local land care groups/businesses.



## 24 Demolition Licences

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**Date of Delegation:** 28 February 2018  
**Delegation Resolution:** 040218  
**File Number:** B1.5  
**Reviewed:** 25 March 2020  
**Delegation Resolution:** 020320

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**SECTION/ACT:**

*Local Government (Miscellaneous Provisions) Act 1960, Section 374A*

**OFFICER(S) UPON WHOM DELEGATION CONFERRED:**

Chief Executive Officer

**AUTHORITY DELEGATED:**

Council delegates to the Chief Executive Officer authority to issue demolition licences.



**25 Buildings – Issuing Notices Requiring Alterations**

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**Date of Delegation:** 28 February 2018  
**Delegation Resolution:** 040218  
**File Number:** B1.2  
**Reviewed:** 25 March 2020  
**Delegation Resolution:** 020320

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**SECTION/ACT:**

*Local Government (Miscellaneous Provisions) Act 1960, Section 401*

**OFFICER(S) UPON WHOM DELEGATION CONFERRED:**

Chief Executive Officer

**AUTHORITY DELEGATED:**

Council delegates to the Chief Executive Officer authority to issue a Notice requiring alterations where a breach of building requirements is considered sufficient to warrant the issue of a Notice.



**26 Buildings – Unlawful Works**

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**Date of Delegation:** 28 February 2018  
**Delegation Resolution:** 040218  
**File Number:** B1.9  
**Reviewed:** 25 March 2020  
**Delegation Resolution:** 020320

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**SECTION/ACT:**

*Local Government (Miscellaneous Provisions) Act 1960, Section 401A*

**OFFICER(S) UPON WHOM DELEGATION CONFERRED:**

Chief Executive Officer

**AUTHORITY DELEGATED:**

Council delegates to the Chief Executive Officer authority to direct a survey of a building to be considered to be in a dangerous state and to issue a notice, requiring the owner or occupier to take it down, secure or repair it, as the case requires, if the survey confirms a building to be in a dangerous state.



## 27 Buildings – Dangerous

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**Date of Delegation:** 28 February 2018  
**Delegation Resolution:** 040218  
**File Number:** B1.2  
**Reviewed:** 25 March 2020  
**Delegation Resolution:** 020320

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**SECTION/ACT:**

*Local Government (Miscellaneous Provisions) Act 1960, Sections 403, 404*

**OFFICER(S) UPON WHOM DELEGATION CONFERRED:**

Chief Executive Officer

**AUTHORITY DELEGATED:**

Council delegates to the Chief Executive Officer authority to direct a survey of a building that is considered to be in a dangerous state.

If the Building Surveyor, or other competent person, certifies that the building is in a dangerous state, to cause the building to be shored up or otherwise secured and a proper hoarding or fence to be put up for the protection of the public from danger, and shall cause a written notice to be served on the owner or occupier of the building requiring him/her forthwith to take it down, secure, or repair it as the case requires.



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## 28 Private Swimming Pool Inspections

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**Date of Delegation:** 28 February 2018  
**Delegation Resolution:** 040218  
**File Number:** B1.8  
**Reviewed:** 25 March 2020  
**Delegation Resolution:** 020320

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**SECTION/ACT:**

*Local Government Act, 1995 Sections 5.42 & 5.44 and Schedule 9.2(3) and Section 2, Section 245A (5), (6) and (7) of the Local Government (Miscellaneous Provisions) Act 1960*

**OFFICER(S) UPON WHOM DELEGATION CONFERRED:**

Chief Executive Officer

**AUTHORITY DELEGATED:**

Council delegates to the Chief Executive Officer authority to appoint officer(s) of the Council as "Authorised Officers" as required in Section 245A (5), (6) & (7) of the *Local Government (Miscellaneous Provisions) Act 1960* for the purposes of inspecting and enforcing private swimming pool local laws or regulations. The delegate(s) has the authority to deal with such matters relevant to this declaration.



## 29 Building Licences

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**Date of Delegation:** 28 February 2018  
**Delegation Resolution:** 040218  
**File Number:** B1.1  
**Reviewed:** 25 March 2020  
**Delegation Resolution:** 020320

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**SECTION/ACT:**

*Local Government (Miscellaneous Provisions) Act 1960 Section 374*

**OFFICER(S) UPON WHOM DELEGATION CONFERRED:**

Chief Executive Officer

**AUTHORITY DELEGATED:**

Council delegates to the Chief Executive Officer authority to approve plans submitted and issue building licences.

**CONDITIONS:**

A summary of building licenses issued to be submitted to Council monthly.



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**30**    *Sale and/or Consumption of Liquor – Council Property*

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**Date of Delegation:**        28 February 2018  
**Delegation Resolution:**    040218  
**File Number:**                D5.3  
**Reviewed:**                    25 March 2020  
**Delegation Resolution:**    020320

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**SECTION/ACT:**

Not Applicable

**OFFICER(S) UPON WHOM DELEGATION CONFERRED:**

Chief Executive Officer

**AUTHORITY DELEGATED:**

Council delegates to the Chief Executive Officer authority to approve applications for the sale of liquor and/or the consumption of liquor on property under the care, control and management of Council.





### 35 Subdivision Clearance

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**Date of Delegation:** 28 February 2018  
**Delegation Resolution:** 040218  
**File Number:** D3.0  
**Reviewed:** 25 March 2020  
**Delegation Resolution:** 020320

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**SECTION/ACT:**

*Local Government Act 1995 – Sections 5.42, Planning & Development Act 2005, Town Planning Scheme No 4*

**OFFICER(S) UPON WHOM DELEGATION CONFERRED:**

Chief Executive Officer

**AUTHORITY DELEGATED:**

Council delegates to the Chief Executive Officer authority to clear conditions on WAPC subdivision / amalgamation approvals in accordance with any relevant Council Policy, Specification, and Town Planning Scheme No 4, or other relevant Act or Regulation.

**CONDITIONS:**

The payment of bond in lieu or completion of works in order to clear a condition of subdivision.



**37 Health Act**

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**Date of Delegation:** 28 February 2018  
**Delegation Resolution:** 040218  
**File Number:** A2.22  
**Reviewed:** 25 March 2020  
**Delegation Resolution:** 020320

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**SECTION/ACT:**

*Local Government Act 1995* – Sections 5.42, *Health Act 1911* – Section 26

**OFFICER(S) UPON WHOM DELEGATION CONFERRED:**

Chief Executive Officer

**AUTHORITY DELEGATED:**

Council delegates to the Chief Executive Officer the Functions and Powers of the *Health Act 1911* as provided by Section 26 of the *Health Act 1911*.



**39**    *Sell Shire Developed Lots on Shields Crescent*

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**Date of Delegation:**        6 July 2020  
**Delegation Resolution:**    050720  
**File Number:**                A1.1.6

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**SECTION/ACT:**

*Local Government Act 1995* – Sections 5.42, 5.43 and 3.58 (3).

**OFFICER(S) UPON WHOM DELEGATION CONFERRED:**

Chief Executive Officer

**AUTHORITY DELEGATED:**

1. Council delegates to the Chief Executive Officer the sale of Lot 696 Shields Crescent, Wongan Hills, for the sum of \$35,000 with each party responsible for their own settlement costs; and
2. Council delegates to the Chief Executive Officer to review submissions received in accordance with Section 3.58 (3).



**40**    *Sell Lot 166 Danubin Road, Wongan Hills*

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**Date of Delegation:**        23 September 2020  
**Delegation Resolution:**    030920  
**File Number:**

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**SECTION/ACT:**

*Local Government Act 1995* – Sections 5.42, 5.43 and 3.58 (3).

**OFFICER(S) UPON WHOM DELEGATION CONFERRED:**

Chief Executive Officer

**AUTHORITY DELEGATED:**

1. Council delegates to the Chief Executive Officer the sale of Lot 166 Danubin Street, Wongan Hills, for the sum of \$62,840 with each party responsible for their own settlement costs; and
2. Council delegates to the Chief Executive Officer to review submissions received in accordance with Section 3.58 (3); and
3. Seek a current Valuation from a licenced Valuer in accordance with Section 3.58 of the *Local Government Act 1995*.