DELEGATIONS REGISTER

Reviewed 18 September 2025

SECTION 1

DELEGATION OF SOME POWERS AND DUTIES TO CHIEF EXECUTIVE OFFICER

FOREWORD

DELEGATION OF SOME POWERS AND DUTIES

TO CHIEF EXECUTIVE OFFICER

Local Government Act 1995 – Section 5.42

(1) A local government may delegate to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in Section 5.43 and this power of delegation.*

** Absolute majority required.*

(2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

It is important to note that not all delegations in this Register are delegations made under the *Local Government Act 1995*. Although the *Local Government Act 1995* allows delegation only to the Chief Executive Officer, other Acts allow delegations to be made direct to other employees, eg Health Act, Dog Act. In some instances other Acts do not give the authority for the person delegated the power to sub-delegate. In these instances if the delegation is made to the CEO, the CEO could not sub-delegate. This Register attempts to ensure delegations are made to the employee whose task it is to enforce the Act concerned.

LIMITS ON DELEGATIONS TO CHIEF EXECUTIVE OFFICERS

Local Government Act 1995 – Section 5.43

A local government cannot delegate to a CEO any of the following powers or duties:-

- *(a) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;*
- *(b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;*
- *(c) appointing an auditor;*
- *(d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;*
- *(e) any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;*
- *(f) borrowing money on behalf of the local government;*

(g) hearing or determining an objection of a kind referred to in section 9.5;

(ha) the power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government;

(h) any power or duty that requires the approval of the Minister or the Governor; or

(i) such other powers or duties as may be prescribed.

CHIEF EXECUTIVE OFFICER MAY DELEGATE

POWERS AND DUTIES TO OTHER EMPLOYEES

Local Government Act 1995 – Section 5.44

(1) A CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under this Act other than this power of delegation.

(2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

INDEX

SECTION 1 – DELEGATION OF SOME POWERS AND DUTIES TO THE CHIEF EXECUTIVE OFFICER

PART 1 - ADMINISTRATION 7
1.1 – Entering into Contracts of Insurance 7
1.2 – Public Liability Insurance Claims 8
1.3 – Appointment of Authorised Persons 9
1.4 – Enforcement and Legal Proceedings 11
1.5 – Impounding and Sale of Animals and Goods 12
1.6 – Property, Acquisition and Disposal 13
1.7 – Liquor, Sale from Shire Property 14
1.8 – Contract Variations 15
1.9 – Execution of Documents 16
1.10 – Hall Hire 17
1.11 – Surplus Materials, Equipment, Tools etc 19
1.12 – Applying for Grants and Subsidies 20
1.13 – Inviting Tenders for Providing Goods and Services 21
1.14 – Determining the Criteria for Assessing Tenders 22
1.15 – Certain Things to be done in Respect of Land 23
1.16 – Making a Person Comply with a Notice requiring Certain Things to be done on Land 24
1.17 – Powers of Entry 25
1.18 – Administer the Shire's Local Laws 26
1.19 – General Competence Powers 27
1.20 – REVOKED Hidden Treasures of the Great Southern, Agreement to use office space within the Broomehill Administration building 28
1.21 – Use of the Shire Logo 29
1.22 – Appointment of Authorised Persons and Approval of Complaint of Breach Form (Code of Conduct for Council Members, Committee Members and Candidates) 30
PART 2 - FINANCE 31
2.1 – General Rates Issues 31
2.2 – Investment of Surplus Funds 33
2.3 – Transfer Money held in the Trust Fund 34
2.4 – Donations 35
2.5 – Creditors, Payment of 36
2.6 – Write-off Money Owing 37

2.7 – Payment of Accounts Electronically 38
2.8 – Reimburse Expenses of Councillors 40
2.9 – Signing and Issuing of Purchase Orders 41
2.10 – Sign Schedule Documents for Loans raised under the WA Treasury Corporation's Master Lending Agreement 43
PART 3 - ENGINEERING 44
3.1 – Approval for heavy vehicles to use local roads under the Accredited Mass Management Scheme 44
3.2 – Traffic Regulatory Signs 45
3.3 – Public Thoroughfares – Fixing or altering levels of alignments or drainage onto adjoining land 46
3.4 – Control of Unvested Facilities 47
3.5 – Road Closures, Temporary (not exceeding 4 weeks) 48
3.6 – Road Closures, Temporary (repairs and maintenance) 49
3.7 – School Bus Bays 50
3.8 – Approve Crossover Construction 51
3.9 – Requirement to Construct or Repair Crossover 52
3.10 – Removal of Street Trees 53
PART 4 - BUILDING HEALTH AND PLANNING 54
4.1 – REVOKED Building, Approve or Refuse Plans and Specifications 54
4.2 – REVOKED Building, Extension of Time to Complete 54
4.3 – REVOKED Building, Works Unlawful 55
4.4 – REVOKED Building, Demolition Licenses 55
4.5 – REVOKED Buildings, Dangerous 56
4.6 – REVOKED Buildings, Neglected 56
4.7 – REVOKED Building, Certificates of Classification 57
4.8 – REVOKED Building, Deposit Materials on a Street 57
4.9 – Authorisation of the Environmental Health Officer 58
4.10 – Signs and Hoardings 59
4.11 – Appointment of Authorised Officers 60
4.12 – Authorised Officer 61
4.13 – Planning Approvals 62
PART 5 - OTHER 64
5.1 – Gate Permits 64
5.2 – Street Appeals 65
5.3 – Events on Roads 66
5.4 – Firebreaks, Alternative Positions 67
5.5 – Burning, Prohibited and Restricted Times (Variations) 68
5.6 – Burning of Roadsides 69

5.7 – Taking Proceedings for Offences, Bush Fires Act 70
5.8 – Handover of Control of Bush Fires 71
5.9 – REVOKED Proceedings under *Dog Act 1976*..... 72
5.10 – REVOKED Withdrawal of Infringement Notices issued under *Dog Act 1976* 72
5.11 – Wildflower Picking..... 73
5.12 – Proceedings under *Cat Act 2011* 74
5.13 – Approval of collection of Native Seed from Council Reserves and Road Reserves..... 75
5.14 – Proceedings under *Dog Act 1976* 76
SECTION 2 – DELEGATION OF SOME POWERS AND DUTIES TO CERTAIN COMMITTEES..... 73
1.1 – REVOKED Management of the Independent Living Seniors Accommodation units as per operating guidelines 74

PART 1 - ADMINISTRATION

Delegation	1.1 – Entering into Contracts of Insurance
Legislative Power to Delegate	*Local Government Act 1995* s5.42 Delegation of some powers and duties to CEO s5.44 CEO may delegate powers and duties to other employees
Legislative Power or Duty Delegated	*Local Government Act 1995* - s6.7(2)
Delegate	Chief Executive Officer
Sub Delegate	Nil

Function:

The Chief Executive Officer is delegated the authority to enter into appropriate contracts of insurance.

Approval of Council is required before entering into contract for any new forms of insurance.

Reporting Requirements:

Copies of all contracts are to be placed on the appropriate file.

Internal References:

Nil

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

Delegation	1.2 – Public Liability Insurance Claims
Legislative Power to Delegate	*Local Government Act 1995* s5.42 Delegation of some powers and duties to CEO s5.44 CEO may delegate powers and duties to other employees
Legislative Power or Duty Delegated	*Local Government Act 1995* - s6.7(2)
Delegate	Chief Executive Officer
Sub Delegate	Nil

Function:

The Chief Executive Officer is delegated the authority to consider claims against the Shire for property damage that do not exceed the insurance policy excess levels and to accept or deny liability on behalf of the Shire.

In cases where liability is accepted, payment may only be made up to the value of the Shire's relevant insurance excess amount and then only upon receipt of a release form.

Reporting Requirements:

Copies of all documentation are to be placed on the appropriate file.

Internal References:

Nil

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

Delegation	1.3 – Appointment of Authorised Persons
Legislative Power to Delegate	*Local Government Act 1995* s5.42 Delegation of some powers and duties to CEO s5.44 CEO may delegate powers and duties to other employees
Legislative Power or Duty Delegated	*Local Government Act 1995* - s9.10
Delegate	Chief Executive Officer
Sub Delegate	Nil

Function:

The Chief Executive Officer is delegated the authority to appoint (in writing) persons or classes of persons to be authorised for the purposes of performing particular functions.

Authorisations are to be made for the following purposes -

- Authorise an employee to remove and impound any goods in accordance with Section 3.39.
- For the giving of a notice to the owner of a vehicle in accordance with s9.13.
- For the issuing of infringement notices under s9.16
- For receiving payment of a modified penalty (infringement notice) under s9.17.
- For extending the period of time within which a modified penalty may be paid under s9.19
- For giving a notice requiring certain things to be done by the owner or occupier of land under s3.25(1).
- For doing anything necessary to achieve, so far as practicable, the purposes for which a notice was given s3.26
- For lawfully entering land, premise or thing under s3.31(2).
- To undertake the functions of an authorised person under the –
    - Activities on Thoroughfares and Public Places and Trading Local Law 2020
    - Activities in Thoroughfares and Public Places and Trading Amendment Local Law 2022
    - Dogs Local Law 2020
    - Local Government Property Local Law 2020
    - *Cat Act 2011*

* NB a person authorised under s9.16 is not eligible to be authorised under s9.17, s9.19 and s9.20

Reporting Requirements:

Copies of the written appointments are to be placed on the person's personal file.

Internal References:

Nil

Adoption Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

Delegation	1.4 – Enforcement and Legal Proceedings
Legislative Power to Delegate	*Local Government Act 1995* s5.42 Delegation of some powers and duties to CEO
Legislative Power or Duty Delegated	*Local Government Act 1995* - s9.24
Delegate	Chief Executive Officer
Sub Delegate	Nil

Function:

The Chief Executive Officer is delegated the authority to appoint persons to initiate prosecutions on behalf of Shire under the *Local Government Act 1995* and Shire's Local Laws.

Reporting Requirements:

Copies of all appointments are to be placed on the appropriate file and the person's personal file.

Internal References:

Nil

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

Delegation	1.5 – Impounding and Sale of Animals and Goods
Legislative Power to Delegate	*Local Government Act 1995* s5.42 Delegation of some powers and duties to CEO s5.44 CEO may delegate powers and duties to other employees
Legislative Power or Duty Delegated	*Local Government Act 1995* – s3.46, s3.47, s3.47A, s3.48
Delegate	Chief Executive Officer
Sub Delegate	Deputy Chief Executive Officer

Function

The Chief Executive Officer is delegated the authority to:

1. Refuse to allow goods to be collected until all costs have been paid in accordance with Section 3.46.
2. Sell confiscated or uncollected goods in accordance with Section 3.47.
3. Humanely destroy an impounded animal if ill or injured in accordance with Section 3.47A
4. Take action to recover expenses in accordance with Section 3.48.

The Chief Executive Officer may dispose of any vehicles, animals or goods that have been impounded, seized or confiscated only after calling public tenders in accordance with Part 4 of the Local Government (Functions and General) Regulations.

The Chief Executive Officer is authorized pursuant to Section 5.43(b) of the *Local Government Act 1995* to accept any tender up to the value of $5,000. Tenders for amounts exceeding $5,000 shall be referred to the Council for consideration.

Reporting Requirements:

Copies of all documentation are to be placed on the appropriate file.

Internal References:

Nil

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

Delegation	1.6 – Property, Acquisition and Disposal
Legislative Power to Delegate	*Local Government Act 1995* s5.42 Delegation of some powers and duties to CEO s5.44 CEO may delegate powers and duties to other employees
Legislative Power or Duty Delegated	*Local Government Act 1995* - s3.58 *Local Government (Functions and General) Regulations 1996* - r30, r31
Delegate	Chief Executive Officer
Sub Delegate	Nil

Function:

The Chief Executive Officer is delegated authority to acquire property and services (other than land) valued at an amount not exceeding $250,000 whether or not a tender process is undertaken, providing that appropriate provision is made in the Shire's annual budget.

The Chief Executive Officer is delegated authority to dispose of property (other than land) with a market value not exceeding $20,000 or if the goods are disposed of as part of the consideration for other property that the local government is acquiring for a consideration the total value of which is not more, or worth more, than $75,000. Appropriate budget provision must have been included in the Shire's annual budget.

Reporting Requirements:

Copies of all documentation are to be placed on the appropriate file and a report presented to Council.

Internal References:

Refer also delegation 1.11.

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

Delegation	1.7 – Liquor, Sale from Shire Property
Legislative Power to Delegate	*Local Government Act 1995* s5.42 Delegation of some powers and duties to CEO s5.44 CEO may delegate powers and duties to other employees
Legislative Power or Duty Delegated	*Local Government Property Local Law 2020* - clause 3.15
Delegate	Chief Executive Officer
Sub Delegate	Deputy Chief Executive Officer

Function:

The Chief Executive Officer is delegated authority to approve applications for the sale of liquor from property under the care, control and management of the Shire and to approve applications to consume liquor on property under the care, control and management of Shire.

The Chief Executive Officer shall have regard to the following:

1. Permission to serve liquor on property under the control of Shire expires at 1am.
2. That liquor not be served from barrel containers situated on the dance floor or foyer space in any hall under the control of Shire.

Reporting Requirements:

Copies of all documentation are to be placed on the appropriate file.

Internal References:

Nil

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

Delegation	1.8 – Contract Variations
Legislative power to Delegate	*Local Government Act 1995* s5.42 Delegation of some powers and duties to CEO s5.44 CEO may delegate powers and duties to other employees
Legislative Power or Duty Delegated	*Local Government Act 1995* - s6.7(2)
Delegated	Chief Executive Officer
Sub Delegate	Not to be sub-delegated

Function:

The Chief Executive Officer is delegated the authority to approve minor variations to contracts entered into by the Shire, subject to the funds required to meet the cost of the variations being contained within the amount set aside in the annual budget.

Reporting Requirements:

Copies of all variations are to be placed on the appropriate file and contract register and a report presented to Council.

Internal References:

Nil

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

Delegation	1.9 – Execution of Documents
Legislative Power to Delegate	*Local Government Act 1995* s5.42 Delegation of some powers and duties to CEO s5.44 CEO may delegate powers and duties to other employees
Legislative Power or Duty Delegated	*Local Government Act 1995* - s3.18
Delegate	Chief Executive Officer
Sub Delegate	Nil

Function:

Where:

a) the Council has authorised entering into a formal contract, or

b) a formal contract is authorised under a delegated authority from the Council, or

c) a formal contract is considered necessary by the Chief Executive Officer as part of the day-to-day operation of the Shire,

The Chief Executive Officer is delegated authority to prepare the necessary documentation taking into account any specific or policy requirements of Council and arrange for execution of the contract documents without further reference to Council.

Reporting Requirements:

Copies of all documentation are to be placed on the appropriate file.

Internal References:

Management Practice: 1.1 Execution of Documents.

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

Delegation	1.10 – Hall Hire
Legislative Power to Delegate	*Local Government Act 1995* s5.42 Delegation of some powers and duties to CEO s5.44 CEO may delegate powers and duties to other employees
Legislative Power or Duty Delegated	Local Government Property Local Law 2020 - clause 3.13(1)(a)
Delegate	Chief Executive Officer
Sub Delegate	Deputy Chief Executive Officer

Function:

The Chief Executive Officer is delegated authority to accept or reject applications for the hire of the Shire Hall and other Shire owned facilities. In exercising this delegation, the Chief Executive Officer shall have regard to the following:

1. Hirers are to pay a bond which is set by Council at its annual budget, the bond being refundable upon clearance by the Chief Executive Officer.

   The application of the bonds is at the discretion of the Chief Executive Officer and may be waived for:

   a) **Community events** that are open to the public (e.g. local shows, cultural celebrations, commemorative services)

   b) **School and parent associations** for activities such as end-of-year presentations or fundraising events

   c) **Local not-for-profit or volunteer groups** delivering activities that benefit the community (e.g. heritage groups, environmental organisations, service clubs)

   d) **Religious or cultural organisations** hosting community-focused events (e.g. seasonal services, NAIDOC Week activities)

   e) **Fundraising or awareness events** that support local causes or community wellbeing

In approving the hire of Shire halls and other Shire owned facilities the Chief Executive Officer is to have regard for Council Policy 4.1 – "Use of Shire Facilities", and Council Policy 4.2 – "Hire of Equipment – Shire Halls".

Reporting Requirements:

Copies of all documentation approving the hire are to be placed on the appropriate file.

All exercises of this delegation are to be recorded into the Grants and Donations Register.

Internal References:

Council Policy: 4.1 Use of Shire Facilities

Council Policy: 4.2 Hire of Equipment – Shire Halls

Delegation 2.4 Donations

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

Delegation	1.11 – Surplus Materials, Equipment, Tools etc
Legislative Power to Delegate	*Local Government Act 1995* s5.42 Delegation of some powers and duties to CEO s5.44 CEO may delegate powers and duties to other employees
Legislative Power or Duty Delegated	*Local Government Act 1995* - s3.58(5)(d) *Local Government (Function and General) Regulations 1996* - r30(3)
Delegate	Chief Executive Officer
Sub Delegate	Manager of Works

Function:

The Chief Executive Officer is delegated authority to sell, by calling for expressions of interest, holding of a surplus goods sale at Shire Depot, or any other fair means, items of surplus equipment, materials, tools etc. which are no longer required, or are outmoded, or are no longer serviceable. This delegation applies only to items with an estimated value less than $5,000.

Reporting Requirements:

Copies of all documentation are to be placed on the appropriate file and Asset Register amended.

Internal References:

Refer also delegation 1.6.

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

Delegation	1.12 – Applying for Grants and Subsidies
Legislative Power to Delegate	*Local Government Act 1995* s5.42 Delegation of some powers and duties to CEO s5.44 CEO may delegate powers and duties to other employees
Legislative Power or Duty Delegated	*Local Government Act 1995* - s3.18
Delegate	Chief Executive Officer
Sub Delegate	Deputy Chief Executive Officer Finance Coordinator

Function:

The Chief Executive Officer is delegated authority to make submissions for grants and/or subsidies from State and Commonwealth Governments without prior approval of Council. In exercising the delegated authority the following conditions shall be observed.

1. The grant/subsidy shall not be accepted without Councils endorsement.
2. The undertaking is to be in accordance with Councils established strategic objectives.

Reporting Requirements:

Copies of all documentation are to be placed on the appropriate file.

Internal References:

Nil

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

Reviewed by Council at its Ordinary Meeting held on 18 December 2025

Delegation	1.13 – Inviting Tenders for Providing Goods and Services
Legislative Power to Delegate	*Local Government Act 1995* s5.42 Delegation of some powers and duties to CEO s5.44 CEO may delegate powers and duties to other employees
Legislative Power or Duty Delegated	*Local Government Act 1995* - s3.57 *Local Government (Functions and General) Regulations 1996* - r11
Delegate	Chief Executive Officer
Sub Delegate	Nil

Function:

The Chief Executive Officer is delegated the authority to proceed with the inviting of tenders for the purchase of goods and services that are listed in the **Adopted** annual budget. The invitation will be in accordance with legislative requirements and subject to any Council Policy

Reporting Requirements:

Copy of the invitation to be placed on the appropriate file and recorded in the Tender Register and a Report presented to Council for acceptance of the tender.

Internal References:

Council Policy: 2.1 Purchasing Policy

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

Delegation	1.14 – Determining the Criteria for Assessing Tenders
Legislative Power to Delegate	*Local Government Act 1995* s5.42 Delegation of some powers and duties to CEO
Legislative Power or Duty Delegated	*Local Government Act 1995* - s3.57 *Local Government (Functions and General) Regulations 1996* - r14(2a)
Delegate	Chief Executive Officer
Sub Delegate	Nil

Function:

The Chief Executive Officer is delegated the power to determine in writing the criteria for assessing which tender should be accepted, subject to Regulation 14(2a) of the *Local Government (Functions and General) Regulations 1996*.

Reporting Requirements:

Copy of the documentation is to be placed on the appropriate file and recorded in the Tender Register.

Internal References:

Council Policy: 2.1 Purchasing Policy

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

Delegation	1.15 – Certain Things to be done in Respect of Land
Legislative Power to Delegate	*Local Government Act 1995* s5.42 Delegation of some powers and duties to CEO
Legislative Power or Duty Delegated	*Local Government Act 1995* - s3.25(1); Schedule 3.1
Delegate	Chief Executive Officer
Sub Delegate	Nil

Function:

The Chief Executive Officer is delegated authority to give a person who is the owner or, unless Schedule 3.1 indicates otherwise, the occupier of land a notice on behalf of the Shire requiring them to do something that is specified in Schedule 3.1 to the land.

Reporting Requirements:

Record of all transactions and the notice are to be placed on the appropriate file.

Internal References:

Nil

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

Delegation	1.16 – Making a Person Comply with a Notice requiring Certain Things to be done on Land
Legislative Power to Delegate	*Local Government Act 1995* s5.42 Delegation of some powers and duties to CEO
Legislative Power or Duty Delegated	*Local Government Act 1995* - s3.26(2)
Delegate	Chief Executive Officer
Sub Delegate	Nil

Function:

If a person who is given a notice under s3.25(1) fails to comply with the notice the Chief Executive Officer is delegated the authority to do anything considered necessary to achieve, so far as practicable, the purposes for which the notice was given.

Reporting Requirements:

Record of all transactions and the notice are to be placed on the appropriate file.

Internal References:

Nil

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

Delegation	1.17 – Powers of Entry
Legislative Power to Delegate	*Local Government Act 1995* s5.42 Delegation of some powers and duties to CEO
Legislative Power or Duty Delegated	*Local Government Act 1995* - Division 3, Subdivision 3
Delegate	Chief Executive Officer
Sub Delegate	Not to be sub-delegated

Function:

The Chief Executive Officer is delegated authority to exercise all of the powers and duties of the local government in respect to the powers of entry upon land as contained in Section 3.28 to 3.36 inclusive of the *Local Government Act 1995*.

Reporting Requirements:

Copies of all documentation are to be placed on the appropriate file.

Internal References:

Nil

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

Delegation	1.18 – Administer the Shire's Local Laws
Legislative Power to Delegate	*Local Government Act 1995* s5.42 Delegation of some powers and duties to CEO s5.44 CEO may delegate powers and duties to other employees
Legislative Power or Duty Delegated	All Local Laws in operation in the Shire of Broomehill-Tambellup.
Delegate	Chief Executive Officer
Sub Delegate	Nil

Function:

The Chief Executive Officer is delegated authority to exercise all of the powers and duties of the Shire so as to administer the Shires Local Laws as required by s3.18(1) of the *Local Government Act 1995*.

Reporting Requirements:

Copies of all documentation are to be placed on the appropriate file.

Internal References:

Nil

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

Delegation	1.19 – General Competence Powers
Legislative Power to Delegate	*Local Government Act 1995* s5.42 Delegation of some powers and duties to CEO s5.44 CEO may delegate powers and duties to other employees
Legislative Power or Duty Delegated	*Local Government Act 1995* – s5.41
Delegate	Chief Executive Officer
Sub Delegate	Deputy Chief Executive Officer

Function:

Following the adoption of the annual budget the Chief Executive Officer is delegated authority to use management discretion in:-

1. Implementing expenditure and income programs contained in the budget the detail of which has been finalised;
2. Authorising overtime

Provided that expense accounts are contained within the annual budget allocations and subject to compliance with the *Local Government Act 1995* section 5.41(d) and Council's policy statements

Reporting Requirements:

Copies of all documentation are to be placed on the appropriate file.

Internal References:

Nil

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 20 October 2011

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

Delegation	1.20 – REVOKED Hidden Treasures of the Great Southern, Agreement to use office space within the Broomehill Administration building

Removed by Council at its Ordinary Meeting held on 17 December 2015

Delegation	1.21 – Use of the Shire Logo
Legislative Power to Delegate	*Local Government Act 1995* s5.42 Delegation of some powers and duties to CEO s5.44 CEO may delegate powers and duties to other employees
Legislative Power or Duty Delegated	*Local Government Act 1995* - s5.41
Delegate	Chief Executive Officer
Sub Delegate	Nil

Function:

The use of the Shire of Broomehill-Tambellup logo:

a) Shall be in accordance with the guidelines contained in the publication "Our Identity"; and

b) Is not permitted by any other person or organisation without the written approval of the Shire of Broomehill-Tambellup.

Council has delegated to the Chief Executive Officer authority to grant approvals for external use of the Shire logo.

Reporting Requirements:

Copies of all documentation are to be placed on the appropriate file/s.

Internal References:

Council Policy: 1.1.1 Shire of Broomehill-Tambellup Logo

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 November 2010

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

Delegation	1.22 – Appointment of Authorised Persons and Approval of Complaint of Breach Form (Code of Conduct for Council Members, Committee Members and Candidates)
Legislative Power to Delegate	*Local Government Act 1995* s5.42 Delegation of some powers and duties to the CEO s5.43 Limitations on delegations to the CEO
Legislative Power or Duty Delegated	*Local Government (Model Code of Conduct) Regulations 2021* Schedule 1 Model Code of Conduct cl. 11(2)(a) and (b) and 11(3) Complaint about alleged breach
Delegate	Chief Executive Officer
Sub Delegate	Deputy Chief Executive Officer

Function:

1. Approve the form in which complaints relating to alleged breaches of the Code of Conduct for Council Members, Committee Members and Candidates must be submitted.
2. Appoint authorised persons to receive complaints and withdrawals of complaints in relation to alleged breaches of the Code of Conduct for Council Members, Committee Members and Candidates must be submitted.

Reporting Requirements:

Copies of all documentation are to be placed on the appropriate file/s.

Internal References:

Code of Conduct for Council Members, Committee Members and Candidates

Council Policy: 1.1.11 Code of Conduct – Behaviour Complaints Management

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 20 May 2021.

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

PART 2 - FINANCE

Delegation	2.1 – General Rates Issues
Legislative Power to Delegate	*Local Government Act 1995* s5.42 Delegation of some powers and duties to CEO s5.44 CEO may delegate powers and duties to other employees
Legislative Power or Duty Delegated	*Local Government Act 1995* - s6.39(2), s6.49, s6.50(1) & (2), s6.56(1), s6.76(4), s6.76(5), s6.60(2) & (4), s6.64.
Delegate	Chief Executive Officer
Sub Delegate	Nil

Function:

The Chief Executive Officer is hereby delegated the performance of the following functions of the Shire:

1. The discharge of the obligations specified in Section 6.39(2) of the *Local Government Act 1995* (Rates Records).
2. Entering into an agreement in accordance with Section 6.49 of the *Local Government Act 1995* for the payment of rates and service charges.
3. The time allowed for the payment of the rate before it becomes in arrear 6.50(1) & (2) of the *Local Government Act 1995*.
4. The recovery of rates by complaint or action pursuant to the provisions of 6.56(1) of the *Local Government Act 1995*.
5. The exercise of discretion in regard to granting of any extension of time for service of objections to the Rate Book 6.76(4) of the *Local Government Act 1995*.
6. Allow or disallow in accordance with Section 6.76(5) any objection to the rate record lodged under Section 6.76(1) and to serve notice of the decision and a statement of reasons for the decision upon the person lodging the objection in accordance with Section 6.76(6).
7. Requiring a lessee to pay rent to the Shire in satisfaction of rates or service charges due and payable in accordance with 6.60(2) & (4) of the *Local Government Act 1995*.
8. Commence proceedings under Section 6.64 of the *Local Government Act 1995* to recover rates owing to Shire. (Subject to S5.43(d) of the *Local Government Act 1995*).

Reporting Requirements:

Copies of all documentation are to be placed on the appropriate file.

Internal References:

Nil

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

Delegation	2.2 – Investment of Surplus Funds
Legislative Power to Delegate	*Local Government Act 1995* s5.42 Delegation of some powers and duties to CEO s5.44 CEO may delegate powers and duties to other employees
Legislative Power or Duty Delegated	*Local Government Act 1995* – s6.14
Delegate	Chief Executive Officer
Sub Delegate	Deputy Chief Executive Officer Finance Coordinator

Function:

The Chief Executive Officer is delegated authority to:

1. Temporarily invest surplus funds with various banking institutions as provided for under s16 of the Trustees Act 1962.

2. Establish and document internal control procedures to be followed by employees to ensure control over investments as required by *Local Government (Financial Management) Regulations 199*6 – Regulation 19.

3. A list of institutions be reviewed annually.

Reporting Requirements:

Details of investments made are to be reported monthly to Council as part of the financial report.

Internal References:

Council Policy: 2.3 Investments

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

Reviewed by Council at its Ordinary Meeting held on 18 December 2025

Delegation	2.3 – Transfer Money held in the Trust Fund
Legislative Power to Delegate	*Local Government Act 1995* s5.42 Delegation of some powers and duties to CEO s5.44 CEO may delegate powers and duties to other employees
Legislative Power or Duty Delegated	*Local Government Act 1995* – s6.9(4)
Delegate	Chief Executive Officer
Sub Delegate	Nil

Function:

The Chief Executive Officer is delegated authority to determine whether money held in the Trust Fund for more than 10 years will be transferred to the Municipal Fund.

In making the determination the Chief Executive Officer is to have regard for Section 6.9(4) of the Local Government Act.

Reporting Requirements:

Copies of all documentation are to be placed on the appropriate file.

Internal References:

Nil

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

Delegation	2.4 – Donations
Legislative Power to Delegate	*Local Government Act 1995* s5.42 Delegation of some powers and duties to CEO s5.44 CEO may delegate powers and duties to other employees
Legislative Power or Duty Delegated	*Local Government Act 1995* – s6.7(2)
Delegate	Chief Executive Officer
Sub Delegate	Nil

Function:

The Chief Executive Officer is delegated the authority to approve discretionary donations to a maximum value of $500 per application plus the ability to waive Hall Hire bond requirements.

Subject to budgetary availability and subject also to, in the opinion of the Chief Executive Officer, the donation bringing credit to the Shire of Broomehill-Tambellup and that any such donations be in addition to those approved specifically by Council as part of the budgetary process subsequent to donation applications being called for in conjunction with that process.

Reporting Requirements:

Copies of all approvals are to be placed on the Grants and Donations Register and elected members advised in the Information Bulletin.

Internal References:

Council Policy: 4.1 Use of Shire Facilities

Delegation 1.10 Hall Hire

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

Delegation	2.5 – Creditors, Payment of
Legislative Power to Delegate	*Local Government Act 1995* s5.42 Delegation of some powers and duties to CEO s5.44 CEO may delegate powers and duties to other employees
Legislative Power or Duty Delegated	*Local Government Act 1995* – s6.10(d) *Local Government (Financial Management) Regulations 1996* – r12(1)
Delegate	Chief Executive Officer
Sub Delegate	Deputy Chief Executive Officer Finance Coordinator Executive Assistant Finance/Rates Officer

Function:

The Chief Executive Officer is delegated authority to make payments from the Municipal Fund or the Trust Fund. Each payment from the Municipal Fund or the Trust Fund is to be noted on a list compiled for each month showing -

1. The payee's name
2. The amount of the payment
3. The date of the payment
4. Sufficient information to identify the transaction.

Reporting Requirements:

The list referred to above is to be presented to the Council at the next ordinary meeting of the Council following the preparation of the list and is to be recorded in the minutes of the meeting at which it is presented.

Internal References:

Refer also delegation 2.7.

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

Reviewed by Council at its Ordinary Meeting held on 18 December 2025

Delegation	2.6 – Write-off Money Owing
Legislative Power to Delegate	*Local Government Act 1995* s5.42 Delegation of some powers and duties to CEO s5.44 CEO may delegate powers and duties to other employees
Legislative Power or Duty Delegated	*Local Government Act 1995* – s6.12(1)(b) & (c)
Delegate	Chief Executive Officer
Sub Delegate	Nil

Function:

The Chief Executive Officer is delegated the authority to waive or grant concessions in relation to any amount of money or write off any amount of money that is owed to the Shire to a maximum of $500.00.

This delegation does not apply to waiving or granting concessions on any amount of money owing in respect of rates and service charges. (s6.12(2)) with the exception of Penalty Interest where the Chief Executive Officer is delegated authority to write off amounts under $20.00.

Reporting Requirements:

Copies of all documentation are to be placed on the appropriate file.

Internal References:

Nil

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

Delegation	2.7 – Payment of Accounts Electronically
Legislative Power to Delegate	*Local Government Act 1995* s5.42 Delegation of some powers and duties to CEO s5.44 CEO may delegate powers and duties to other employees
Legislative Power or Duty Delegated	*Local Government Act 1995* – s6.10(d) *Local Government (Financial Management) Regulations 1996* – r11(1)
Delegate	Chief Executive Officer
Sub Delegate	Deputy Chief Executive Officer Finance Coordinator Executive Assistant Finance/Rates Officer

Function:

The Chief Executive Officer is delegated authority to develop procedures for the authorisation of, and payment of, accounts to ensure that there is effective security for, and properly authorised use of cheques, credit cards, computer encryption devices and passwords, purchasing cards and any other devices or methods by which goods, services money or other benefits may be obtained.

Making payment by cheque or Electronic Fund Transfer (EFT) from the Municipal and Trust Funds is subject to the following conditions

- All transactions are to be authorised by two signatories, with at least one signatory being from an Authorised Primary Signatory. This includes payments by cheque, electronic funds transfer, transfers between accounts, payroll payments and investment of surplus and reserve funds.
- Where an officer has been involved in the preparation of a payment batch, the payment will be approved by two other signatories.

Primary and Secondary Signatories

- Authorised Primary signatories are the Chief Executive Officer and the Deputy Chief Executive Officer.
- Authorised Secondary signatories are the Finance Coordinator, Executive Assistant and the Finance/Rates Officer.

Reporting Requirements:

A list of payments is to be presented to Council at the next ordinary meeting of Council and is to be recorded in the minutes of the meeting at which it is presented.

Internal References:

Refer also delegation 2.5

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

Reviewed by Council at its Ordinary Meeting held on 18 December 2025

Delegation	2.8 – Reimburse Expenses of Councillors
Legislative Power to Delegate	*Local Government Act 1995* s5.42 Delegation of some powers and duties to CEO
Legislative Power or Duty Delegated	*Local Government Act 1995* – s5.98(2)(b) & (3) *Local Government (Administration) Regulations 1996* – r 32
Delegate	Chief Executive Officer
Sub Delegate	Nil

Function:

The Chief Executive Officer is delegated authority to reimburse all reasonable expenses to Councillors incurred whilst attending conferences, seminars and training courses approved by Council and other absences from the district on any business deemed necessary by the Chief Executive Officer. Such expenses may include accommodation, meals, refreshments, travel and other appropriate out-of-pocket expenses.

Consideration is to be given to Council Policy 1.1.9 Elected Member Training and Professional Development Policy

Reporting Requirements:

Copies of all documentation are to be placed on the appropriate file.

Internal References:

Council Policy: 1.1.9 Elected Member Training and Professional Development

Management Practice: 1.8 Attendance Fees, Expenses and Allowances

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

Delegation	2.9 – Signing and Issuing of Purchase Orders
Legislative Power to Delegate	*Local Government Act 1995* s5.42 Delegation of some powers and duties to CEO s5.44 CEO may delegate powers and duties to other employees
Legislative Power or Duty Delegated	*Local Government Act 1995* - s5.42
Delegate	Chief Executive Officer
Sub Delegate	Deputy Chief Executive Officer Manager of Works Finance Coordinator Strategic Support & Projects Officer Executive Assistant Works Assistant Building Maintenance Coordinator

Function:

That in terms of the *Local Government Act 1995* section 5.42, the delegation of powers and duties for the signing and issuing of Council's purchase orders be delegated to the Chief Executive Officer.

The following purchasing limits apply to sub-delegates:

Deputy Chief Executive Officer	$20,000
Finance Coordinator	$20,000
Manager of Works	$20,000
Strategic Support & Projects Officer	$20,000
Executive Assistant	$1000
Works Assistant	$1000
Building Maintenance Coordinator	$1000

Reporting Requirements:

Copies of all documentation are to be placed on the appropriate file.

Internal References:

Council Policy: 2.1 Purchasing Policy

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

Reviewed by Council at its Ordinary Meeting held on 18 December 2025

Delegation	2.10 – Sign Schedule Documents for Loans raised under the WA Treasury Corporation's Master Lending Agreement
Legislative Power to Delegate	*Local Government Act 1995* s5.42 Delegation of some powers and duties to CEO s5.44 CEO may delegate powers and duties to other employees
Legislative Power or Duty Delegated	*Local Government Act 1995* – s6.20
Delegate	Chief Executive Officer
Sub Delegate	Deputy Chief Executive Officer Finance Coordinator

Function:

That the Chief Executive Officer be delegated authority to sign schedule documents for loans raised under the WA Treasury Corporation's Master Lending Agreement and/or give instructions thereunder on behalf of the Shire of Broomehill-Tambellup if the loan is in the adopted budget.

Reporting Requirements:

Copies of all documentation are to be placed on the appropriate file.

Internal References:

Nil

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 17 April 2014

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

Reviewed by Council at its Ordinary Meeting held on 18 December 2025

PART 3 - ENGINEERING

Delegation	3.1 – Approval for heavy vehicles to use local roads under the Accredited Mass Management Scheme
Legislative Power to Delegate	*Local Government Act 1995* s5.42 Delegation of some powers and duties to CEO
Legislative Power or Duty Delegated	*Local Government Act 1995* – s3.18(1)
Delegate	Chief Executive Officer
Sub Delegate	Nil

~~*Delegation:*~~

Function:

The Chief Executive Officer is delegated authority to determine applications from trucking companies for access to local roads under the Accredited Mass Management Scheme (AMMS) to comply with heavy vehicle access condition CA07 where it is applicable.

Condition CA07 states

'All operators must carry written approval from the Local Authority permitting use of the road'

Applicants seeking approval must hold the appropriate approvals to operate under the AMMS.

All approvals expire at 30 June each year.

Reporting Requirements:

Copies of all documentation are to be placed on the appropriate file.

Internal References:

Management Practice: 5.9 Functional Road Hierarchy

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 21 July 2016

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

Delegation	3.2 – Traffic Regulatory Signs
Legislative Power to Delegate	*Local Government Act 1995* s5.42 Delegation of some powers and duties to CEO s5.44 CEO may delegate powers and duties to other employees
Legislative Power or Duty Delegated	*Local Government Act 1995* – s3.18(1)
Delegate	Chief Executive Officer
Sub Delegate	Manager of Works

Function:

The Chief Executive Officer is delegated authority to make application to Main Roads WA for approval to install stop and give-way signs at such places as the Chief Executive Officer considers warranted and on receipt of the necessary approval the Chief Executive Officer is authorised to arrange to have the appropriate signs erected in accordance with the provisions of the approval.

The Chief Executive Officer is further delegated to arrange installation of "School Bus Stop" signs (in accordance with AS 1742) and other appropriate traffic regulatory signs at such places as the Chief Executive Officer considers necessary.

Reporting Requirements:

Copies of all documentation are to be placed on the appropriate file.

Internal References:

Nil

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

Delegation	3.3 – Public Thoroughfares – Fixing or altering levels of alignments or drainage onto adjoining land
Legislative Power to Delegate	*Local Government Act 1995* s5.42 Delegation of some powers and duties to CEO
Legislative Power or Duty Delegated	*Local Government Act 1995* – s3.51(3)
Delegate	Chief Executive Officer
Sub Delegate	Nil

Function:

The Chief Executive Officer is delegated authority to give the required notices before fixing or altering the level of, or the alignment of a public thoroughfare and before draining water from a public thoroughfare or other public place onto adjoining land.

Further, the Chief Executive Officer is delegated authority to consider any submissions received and proceed with the proposal if no objection is received.

Reporting Requirements:

Copies of all documentation are to be placed on the appropriate file.

Internal References:

Nil

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

Delegation	3.4 – Control of Unvested Facilities
Legislative Power to Delegate	*Local Government Act 1995* s5.42 Delegation of some powers and duties to CEO
Legislative Power or Duty Delegated	*Local Government Act 1995* – s3.53(3)
Delegate	Chief Executive Officer
Sub Delegate	Nil

~~*Delegation:*~~

Function:

If an unvested facility lies within two or more districts, the Chief Executive Officer is delegated authority to agree on its control and management.

Reporting Requirements:

Copies of all documentation are to be placed on the appropriate file and Council advised of the agreement.

Internal References:

Nil

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

Delegation	3.5 – Road Closures, Temporary (not exceeding 4 weeks)
Legislative Power to Delegate	*Local Government Act 1995* s5.42 Delegation of some powers and duties to CEO
Legislative Power or Duty Delegated	*Local Government Act 1995* – s3.50(1)
Delegate	Chief Executive Officer
Sub Delegate	Nil

Function:

The Chief Executive Officer is delegated authority to temporarily close a street or a portion of a street for a period not exceeding 4 weeks.

Closures are to be made if the Chief Executive Officer is of the opinion that by reason of heavy rain a street or road is likely to be damaged by the passage of traffic generally or traffic of any particular class.

Reporting Requirements:

Copies of all documentation are to be placed on the appropriate file.

Internal References:

Nil

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

Delegation	3.6 – Road Closures, Temporary (repairs and maintenance)
Legislative Power to Delegate	*Local Government Act 1995* s5.42 Delegation of some powers and duties to CEO s5.44 CEO may delegate powers and duties to other employees
Legislative Power or Duty Delegated	*Local Government Act 1995* – s3.50A
Delegate	Chief Executive Officer
Sub Delegate	Manager of Works

Function:

The Chief Executive Officer is delegated authority to temporarily close a street or a portion of a street, without giving public notice, if the closure is for the purpose of carrying out repairs or maintenance and is unlikely to have a significant adverse effect on users.

Reporting Requirements:

Copies of all documentation are to be placed on the appropriate file.

Each closure is to be recorded on the timesheets.

Internal References:

Nil

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

Delegation	3.7 – School Bus Bays
Legislative Power to Delegate	*Local Government Act 1995* s5.42 Delegation of some powers and duties to CEO
Legislative Power or Duty Delegated	*Local Government Act 1995* – s3.18(1)
Delegate	Chief Executive Officer
Sub Delegate	Nil

Function:

The Chief Executive Officer is delegated authority to determine any applications to construct bus bays as a safety measure with the applicants to meet all costs involved in the construction of such bays including school bus turn-abouts.

Reporting Requirements:

Copies of all documentation are to be placed on the appropriate file.

Internal References:

Nil

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

Delegation	3.8 – Approve Crossover Construction
Legislative Power to Delegate	*Local Government Act 1995* s5.42 Delegation of some powers and duties to CEO
Legislative Power or Duty Delegated	*Local Government Act 1995* – Sch 9.1 cl. 7(2) *Local Government (Uniform Local Provisions) Regulations 1996* - r12(1)
Delegate	Chief Executive Officer
Sub Delegate	Nil

Function:

The Chief Executive Officer is delegated the power to approve the construction of a crossing giving access from a public thoroughfare to the land, or a private thoroughfare serving the land, subject to Regulation 12(1) of the *Local Government (Uniform Local Provisions) Regulations 1996.*

In exercising this delegation the Chief Executive Officer is to have regard to Council Policy 3.1 (6) – "Road Construction & Maintenance Minimum Standards – Crossovers" and Management Practice 5.2 - "Culverts, Crossings and Entrances".

Reporting Requirements:

Copies of all documentation are to be placed on the appropriate file.

Internal References:

Council Policy: 3.1 (6) Road Construction and Maintenance Minimum Standards - Crossovers

Management Practice: 5.2 Culverts, Crossings and Entrances

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

Delegation	3.9 – Requirement to Construct or Repair Crossover
Legislative Power to Delegate	*Local Government Act 1995* s5.42 Delegation of some powers and duties to CEO s5.44 CEO may delegate powers and duties to other employees
Legislative Power or Duty Delegated	*Local Government Act 1995* – Sch 9.1 cl. 7(2) *Local Government (Uniform Local Provisions) Regulations 1996* - r13(1) & (2)
Delegate	Chief Executive Officer
Sub Delegate	Manager of Works

Function:

The Chief Executive Officer is delegated authority to give notice to an owner or occupier of private land requiring the person to construct or repair a crossing from a public thoroughfare to the land or a private thoroughfare serving the land. If the person fails to comply with the notice the Chief Executive Officer is delegated authority to construct or repair the crossing and recover 50% of the cost of doing so as a debt due from the person.

Reporting Requirements:

Copies of all documentation are to be placed on the appropriate file.

Internal References:

Council Policy: 3.1 (6) Road Construction and Maintenance Minimum Standards - Crossovers

Management Practice: 5.2 Culverts, Crossings and Entrances

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

Delegation	3.10 – Removal of Street Trees
Legislative Power to Delegate	*Local Government Act 1995* s5.42 Delegation of some powers and duties to CEO s5.44 CEO may delegate powers and duties to other employees
Legislative Power or Duty Delegated	*Local Government Act 1995* – s3.18(1)
Delegate	Chief Executive Officer
Sub Delegate	Nil

~~*Delegation:*~~

Function:

The Chief Executive Officer is delegated authority to authorise the removal of any tree on any townsite street or road reserve where the street or road is under the care, control and maintenance of the Shire. This delegated authority shall only be exercised when the Chief Executive Officer, after obtaining technical advice when appropriate, is of the opinion that the tree is dead, diseased, structurally dangerous or is creating a traffic hazard by restricting the vision of motorists.

This delegation may also be exercised when removal of the tree/s is needed due to pending roadworks.

In exercising this delegation the Chief Executive Officer is to have regard to Council Policy 3.4 "Clearing of Vegetation for Road Construction".

Reporting Requirements:

Copies of all documentation are to be placed on the appropriate file.

Internal References:

Council Policy: 3.4 Clearing of Vegetation for Road Construction

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

PART 4 - BUILDING HEALTH AND PLANNING

Delegation	4.1 – REVOKED Building, Approve or Refuse Plans and Specifications

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 17 December 2015 and replaced with Delegation 4.12 - Authorised Officer

Delegation	4.2 – REVOKED Building, Extension of Time to Complete

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 17 December 2015 and replaced with Delegation 4.12 - Authorised Officer

Delegation	4.3 – REVOKED Building, Works Unlawful

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 17 December 2015 and replaced with Delegation 4.12 - Authorised Officer

Delegation	4.4 – REVOKED Building, Demolition Licenses

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 17 December 2015 and replaced with Delegation 4.12 - Authorised Officer

Delegation	4.5 – REVOKED Buildings, Dangerous

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 17 December 2015 and replaced with Delegation 4.12 - Authorised Officer

Delegation	4.6 – REVOKED Buildings, Neglected

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 17 December 2015 and replaced with Delegation 4.12 - Authorised Officer

Delegation	4.7 – REVOKED Building, Certificates of Classification

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 17 December 2015 and replaced with Delegation 4.12 - Authorised Officer

Delegation	4.8 – REVOKED Building, Deposit Materials on a Street

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 17 December 2015 and replaced with Delegation 4.12 - Authorised Officer

Delegation	4.9 – Authorisation of the Environmental Health Officer
Legislative Power to Delegate	Section 26 of the *Health Act 1911*
Legislative Power or Duty Delegated	Section 26 of the *Health Act 1911*
Delegate	Environmental Health Officer
Sub Delegate	Nil

Function:

That authority be delegated to the Environmental Health Officer for the Shire of Broomehill-Tambellup, pursuant to Section 26 of the *Health Act 1911*, to carry out within its district the provisions of the Act and regulations, local laws, and orders made there under and to exercise and discharge all or any of the powers and functions of the local government pursuant to that legislation.

This empowers the Environmental Health Officer to sign such documents and initiate appropriate legal action on behalf of the Shire when a breach of the *Health Act 2011,* related legislation and the Shire's Health Local Law is identified.

Reporting Requirements:

Copies of all documentation are to be placed on the appropriate file.

Internal References:

Health Local Law 2020

Health Amendment Local Law 2022

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

Delegation	4.10 – Signs and Hoardings
Legislative Power to Delegate	Town Planning Schemes *Local Government Act 1995* s5.42 Delegation of some powers and duties to CEO s5.44 CEO may delegate powers and duties to other employees
Legislative Power or Duty Delegated	Activities on Thoroughfares and Public Places and Trading Local Law 2020 – clause 3.2 Shire of Broomehill Town Planning Scheme No. 1 Shire of Tambellup Town Planning Scheme No. 2
Delegate	Chief Executive Officer
Sub Delegate	Nil

Function:

The Chief Executive Officer is delegated authority to approve the erection and where appropriate, the licensing of signs and hoardings that comply with the Town Planning Scheme and the Local Laws of the Shire and where an application does not comply with the Scheme or the Local Laws of the Shire, the application is to be refused.

In exercising this delegation the Chief Executive Officer is to have regard to Council Policy 3.2 "Advertising and Portable Direction Signs".

Reporting Requirements:

Copies of all documentation are to be placed on the appropriate file.

Internal References:

Council Policy: 3.2 Advertising and Portable Directional Signs

Activities in Thoroughfares and Public Places and Trading Local Law 2020

Activities in Thoroughfares and Public Places and Trading Amendment Local Law 2022

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

Delegation	4.11 – Appointment of Authorised Officers
Legislative Power to Delegate	*Food Act 2008*
Legislative Power or Duty Delegated	Section 65, 66, 67, 110, 112, 222(1) (b), 123(1), 123(2), 126(2), 126(3), 126(6) and 126(7) of the *Food Act 2008*
Delegate	Chief Executive Officer and Authorised Officer/s
Sub Delegate	Nil

Function:

That pursuant to the following Sections of the *Food Act 2008*, authority be delegated to the Chief Executive to perform the functions listed:

a) Section 122(1) – Appoint Authorised Officers;
b) Sections 123(1) and 123(2) – Issue certificates of authority to Authorised Officers;
c) Section 126(2) – Appoint Designated Officers to issue infringement notices;
d) Sections 126(3) – Appoint Designated Officers to receive payment from infringement notices;
e) Sections 126(6) and 126(7) – Appoint Designated Officers to extend the payment for infringement notices or revoke infringement notices.

That pursuant to the *Food Act 2008* the Authorised officer is delegated authority to perform the functions listed:

a) Issue prohibition notices in accordance with Section 65 of the *Food Act 2008*;
b) Clear and remove prohibition notices in accordance with Section 66 of the *Food Act 2008*;
c) Provide written notification not to issue a certificate of clearance in accordance with Section 67 of the *Food Act 2008*; and
d) Grant, apply conditions, refuse, vary or cancel registration of a food business in accordance with the Sections 110 and 112 of the *Food Act 2008*.

Reporting Requirements:

Copies of all documentation are to be placed on the appropriate file.

Internal References:

Nil

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 19 August 2010

Reviewed by Council at its Ordinary Meeting held on September 2025

Delegation	4.12 – Authorised Officer
Legislative Power to Delegate	*Building Act 2011*
Legislative Power or Duty Delegated	*Building Act 2011* s96(3) and s127
Delegate	Chief Executive Officer
Sub-delegate	Building Surveyor

~~*Delegation:*~~

Function:

The Chief Executive Officer is delegated authority to exercise all the powers and duties of a permit authority as defined by the *Building Act 2011*.

The Chief Executive Officer is an authorised officer for the purposes of the *Building Act 2011* in relation to building and incidental structures located, or proposed to be located, in the district of the Shire of Broomehill-Tambellup.

Reporting Requirements:

Copies of all documentation are to be placed on the appropriate file.

Internal References:

Nil

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 17 December 2015

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

Delegation	4.13 – Planning Approvals
Legislative Power to Delegate	*Local Government Act 1995* S5.42 Delegation of some powers and duties to the CEO S5.44 CEO may delegate powers and duties to other employees
Legislative Power or Duty Delegated	*Planning and Development Act 2005* *Planning Regulations Amendment Regulations 2020* *Planning and Development Amendment Act 2023* Shire of Broomehill Town Planning Scheme No. 1 Shire of Tambellup Town Planning Scheme No. 2
Delegate	Chief Executive Officer
Sub Delegate	Nil

Function:

The Chief Executive officer is delegated the authority to –

1. determine all Applications for Planning Approval submitted under Shire of Broomehill Town Planning Scheme No 1 and Shire of Tambellup Town Planning Scheme No 2, with the following exceptions:
    - The proposed use or development is located in a Town Centre, Industrial, Light Industrial or Special Use zone.
    - The application does not comply with the relevant Scheme provisions;
    - The use or development of the land is not permitted; and
    - Where the application is to be refused.

    All applications that meet these exceptions must be considered by Council.

2. grant an exemption from the need for planning approval for temporary works (not exceeding a 12 month period) in accordance with Clause 61(2)(f) of the Regulations.

3. make a determination of applications for development of land that is within any Local Scheme Reserve.

4. make a determination of compliance or non-compliance with conditions of any development approval including an approval issued by a Development Assessment Panel.

5. accept a development application for processing or request lodgement of additional information. Note: Includes Development Assessment Panel applications.

6. after an application has been accepted for processing, request an applicant to provide additional information. Note: Includes lodging a "stop the clock" request to a Development Assessment Panel.

7. determine the extent and means of advertising for all development applications.

8. issue a 'deemed refusal' where an application has been lodged and has not been determined within the 60 or 90 day statutory period.

9. determine any application to amend or cancel an existing development (including modification of conditions). Note: Includes Development Assessment Panel applications.

10. lodge any accepted DAP application to the administrative officer of the Regional Development Assessment Panel.

11. determine all Single House Development Planning Approvals, or any development associated with a single house such as additions, alterations, patios or carports under the Planning and Development Amendment Act 2023 and Planning Scheme 1 and Planning Scheme 2 with the following exemptions:

    - Heritage Protected Places

Reporting Requirements:

A schedule of approvals will be kept (as required by the Act) and presented to Council in the information bulletin on a monthly basis, unless the delegation has not been exercised that month.

Internal References:

Nil

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 15 September 2022

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

Reviewed by Council at its Ordinary Meeting held on 18 December 2025

PART 5 - OTHER

Delegation	5.1 – Gate Permits
Legislative Power to Delegate	*Local Government Act 1995* s5.42 Delegation of some powers and duties to CEO s5.44 CEO may delegate powers and duties to other employees
Legislative Power or Duty Delegated	*Local Government Act 1995* – Schedule 9.1, clause 5(1) *Local Government (Uniform Local Provisions) Regulations 1996* – r9
Delegate	Chief Executive Officer
Sub Delegate	Nil

Function:

The Chief Executive Officer is delegated the authority to determine applications for permission to erect gates or other devices across public thoroughfares under Shire control or management to enable traffic to pass across the public thoroughfare and prevent livestock from straying.

Reporting Requirements:

Copies of all applications are to be placed on the appropriate file.

Internal References:

Nil

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

Delegation	5.2 – Street Appeals
Legislative Power to Delegate	*Local Government Act 1995* s5.42 Delegation of some powers and duties to CEO s5.44 CEO may delegate powers and duties to other employees
Legislative Power or Duty Delegated	Activities on Thoroughfares and Public Places and Trading Local Law 2020
Delegate	Chief Executive Officer
Sub Delegate	Deputy Chief Executive Officer

Function:

The Chief Executive Officer is delegated authority to determine all applications for street appeals. The Chief Executive Officer shall have regard to any Council Policy relating to street appeals.

Reporting Requirements:

Copies of all documentation are to be placed on the appropriate file.

Internal References:

Nil

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on September 18 2025

Delegation	5.3 – Events on Roads
Legislative Power to Delegate	*Local Government Act 1995* s5.42 Delegation of some powers and duties to CEO s5.44 CEO may delegate powers and duties to other employees
Legislative Power or Duty Delegated	*Local Government Act 1995* – s3.50 *Road Traffic (Events on Roads) Regulations 1991*
Delegate	Chief Executive Officer
Sub Delegate	Nil

Function:

The Chief Executive Officer is delegated the authority to determine applications for the temporary closure of roads for the purpose of conducting events in accordance with the *Road Traffic (Events on Roads) Regulations 1991.*

Exercise of the delegation is subject to s3.50 of the *Local Government Act 1995*.

Reporting Requirements:

Copies of all applications are to be placed on the appropriate file.

Internal References:

Nil

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

Delegation	5.4 – Firebreaks, Alternative Positions
Legislative Power to Delegate	*Bush Fires Act 1954* - s48(1)
Legislative Power or Duty Delegated	*Bush Fires Act 1954* – s33(1) Annual Firebreak Notice.
Delegate	Chief Executive Officer
Sub Delegate	Not Permitted

Function:

The Chief Executive Officer is delegated the authority to:

1. approve or refuse applications to provide firebreaks in alternative positions and to approve or refuse applications to provide alternative fire protection measures on the land.

2. approve or refuse applications to provide firebreaks in alternative positions and to approve or refuse applications to provide alternative fire protection measures on land shall be limited to approval periods of twelve (12) months only except where natural obstructions are the reason for landholders being granted an exemption to comply with the Firebreak Notice and in such circumstances it will not be necessary to obtain an annual exemption for as long as the natural obstruction remains as it was at the time of granting of the exemption.

Reporting Requirements:

Copies of all applications are to be placed on the appropriate file.

Internal References:

Nil

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

Delegation	5.5 – Burning, Prohibited and Restricted Times (Variations)
Legislative Power to Delegate	*Bush Fires Act 1954* - s48(1)
Legislative Power or Duty Delegated	*Bush Fires Act 1954* – s17(7) & (8) and s18(5)
Delegate	Chief Executive Officer
Sub-delegate	Not Permitted

Function:

The Chief Executive Officer is delegated the authority to amend the Restricted Burning and Prohibited Burning periods subject to this delegation only being used at the request of the Chief Bush Fire Control Officer.

(Variation can only be made after consultation with an authorised Department of Biodiversity, Conservation and Attractions Officer, if forest land is situated in the district.)

Note – This authority may be delegated jointly to the Shire President and Chief Bush Fire Control Officer under section 17(10) of the *Bush Fires Act* 1954.

Reporting Requirements:

Copies of all variations are to be placed on the appropriate file and Councillors to be advised through the Information Bulletin.

Internal References:

Nil

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

Delegation	5.6 – Burning of Roadsides
Legislative Power to Delegate	*Local Government Act 1995* s5.42 Delegation of some powers and duties to CEO s5.44 CEO may delegate powers and duties to other employees
Legislative Power or Duty Delegated	Activities on Thoroughfares and Public Places and Trading Local Law 2020 – clause 5.13
Delegate	Chief Executive Officer
Sub-delegate	Nil

Function:

The Chief Executive Officer is delegated the authority to approve applications submitted by the relevant Fire Control Officer/s to burn a road verge vested in the care, control and management of the Shire.

In exercising this delegation the Chief Executive Officer is to have regard to Policy 6.4 – Roadside Burning.

Reporting Requirements:

Copies of all applications are to be placed on the appropriate file.

Internal References:

Council Policy: 6.4 Roadside Burning

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

Delegation	5.7 – Taking Proceedings for Offences, Bush Fires Act
Legislative Power to Delegate	*Bush Fires Act 1954* – s48(1)
Legislative Power or Duty Delegated	*Bush Fires Act 1954* - s59(3)
Delegate	Chief Executive Officer
Sub-delegate	Nil

Function:

The Chief Executive Officer is delegated the authority to consider allegations of offences alleged to have been committed against the *Bush Fires Act 1954* within the district, and if the Chief Executive Officer thinks fit, to institute and carry out proceedings in the name of the Shire against any person alleged to have committed any of those offences.

This delegation extends to the issue of infringement notices in accordance with the provisions of Section 59A of the Act.

Reporting Requirements:

Copies of all documentation are to be placed on the appropriate file.

Internal References:

Nil

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

Delegation	5.8 – Handover of Control of Bush Fires
Legislative Power to Delegate	*Bush Fires Act 1954* - s48(1)
Legislative Power or Duty Delegated	*Bush Fires Act 1954* - s13(4)
Delegate	Chief Executive Officer
Sub-delegate	Not permitted

Function:

The Chief Executive Officer is delegated the authority to request Department of Fire and Emergency Services to authorise a bush fire liaison officer to take control of all operations in relation to a bush fire burning in the district.

Reporting Requirements:

Copies of all documentation are to be placed on the appropriate file.

Internal References:

Nil

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

Delegation	5.9 – REVOKED Proceedings under *Dog Act 1976*

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 15 September 2022

Revoked by Council at its Ordinary Meeting held on 19 May 2021 (See 5.14)

Delegation	5.10 – REVOKED Withdrawal of Infringement Notices issued under *Dog Act 1976*

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 15 September 2022

Revoked by Council at its Ordinary Meeting held on 19 May 2021 (see 5.14)

Delegation	5.11 – Wildflower Picking
Legislative Power to Delegate	*Local Government Act 1995* s5.42 Delegation of some powers and duties to CEO s5.44 CEO may delegate powers and duties to other employees
Legislative Power or Duty Delegated	*Local Government Act 1995* – s3.54
Delegate	Chief Executive Officer
Sub Delegate	Nil

Function:

The Chief Executive Officer is delegated the authority to determine all applications for the picking of wildflowers on Shire reserves.

The harvesting of the Broombush (Melaleuca Uncinata) on Shire controlled land and vested reserves is prohibited.

Reporting Requirements:

Copies of all applications are to be placed on the appropriate file.

Internal References:

Nil

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 18 December 2008

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

Delegation	5.12 – Proceedings under *Cat Act 2011*
Legislative Power to Delegate	*Cat Act 2011* – s44(1)
Legislative Power or Duty Delegated	*Cat Act 2011*
Delegate	Chief Executive Officer ~~Manager Finance and Administration~~ Deputy Chief Executive Officer Manager of Works Works Supervisor Ranger
Sub Delegate	Nil

Function:

To exercise on behalf of the local government the powers conferred on an authorised person by the *Cat Act 2011* (Act).

Any proceedings under the Act, whether civil or penal, may only be taken with the approval of the Chief Executive Officer.

This delegation also enables the persons authorised by this delegation to issue infringement notices pursuant to the provisions of Sections 62 to 67 of the Act.

Reporting Requirements:

Copies of all documentation are to be placed on the appropriate file.

Internal References:

Nil

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 16 May 2013

Reviewed by Council at its Ordinary Meeting held on September 2025

Delegation	5.13 – Approval of collection of Native Seed from Council Reserves and Road Reserves
Legislative Power to Delegate	*Local Government Act 1995* s5.42 Delegation of some powers and duties to CEO s5.44 CEO may delegate powers and duties to other employees
Legislative Power or Duty Delegated	*Local Government Act 1995* – s3.54
Delegate	Chief Executive Officer
Sub Delegate	Nil

Function:

The Chief Executive Officer is delegated the authority to determine all applications for the collection of native seed from within the Shire of Broomehill-Tambellup reserves.

All persons collecting native seed are to be licensed according to the *Wildlife Conservation Act (1950)* and will abide by the conditions of the license.

Permission is for a twelve month period and appropriate hygiene measures will be followed at all times to prevent the spread of plant disease and weeds.

All care will be taken to avoid the disturbance of fauna habitat and to avoid disturbance that may lead to soil degradation.

Reporting Requirements:

Copies of all applications are to be placed on the appropriate file.

Internal References:

Nil

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 20 July 2017

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

Delegation	5.14 – Proceedings under *Dog Act 1976*
Legislative Power to Delegate	*Dog Act 1976 – s10AA(1) and S100A(3)*
Legislative Power or Duty Delegated	*Dog Act 1976* and *Dog Regulations 2013*
Delegate	Chief Executive Officer
Sub Delegate	Nil

Function:

Pursuant to *s10AA(1) of the Dog Act 1976* the Chief Executive Officer is delegated all powers and duties of the Shire under the *Dog Act 1976* and regulations and the Shire's Dogs Local Law.

Pursuant to *s10AA(3) of the Dog Act 1976* the Chief Executive Officer is specifically authorised to sub delegate any and all of these powers and duties to other Shire employees or other persons.

While exercising the powers and duties referred to in (1) above the CEO must comply with all relevant Council policies.

Reporting Requirements:

Copies of all documentation are to be placed on the appropriate file.

Internal References:

Nil

Adoption/Review:

Adopted by the Council at its Ordinary Meeting held on 19 May 2022

Reviewed by Council at its Ordinary Meeting held on 18 September 2025

SECTION 2

DELEGATION OF SOME POWERS AND DUTIES TO CERTAIN COMMITTEES

FOREWORD

DELEGATION OF SOME POWERS AND DUTIES

TO CERTAIN COMMITTEES

Local Government Act (1995) **– Sections 5.16, 5.17, 5.18, 5.9**

5.16. Delegation of some powers and duties to certain committees

(1) Under and subject to section 5.17, a local government may delegate* to a committee any of its powers and duties other than this power of delegation.

** Absolute majority required.*

(2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

(3) Without limiting the application of sections 58 and 59 of the *Interpretation Act 1984* —

(a) a delegation made under this section has effect for the period of time specified in the delegation or if no period has been specified, indefinitely; and

(b) any decision to amend or revoke a delegation under this section is to be by an absolute majority.

(4) Nothing in this section is to be read as preventing a local government from performing any of its functions by acting through another person.

5.17. Limits on delegation of powers and duties to certain committees

(1) A local government can delegate —

(c)to a committee referred to in section 5.9(2)(c), (d) or (e), any of the local government's powers or duties that are necessary or convenient for the proper management of — (i) the local government's property; or (ii) an event in which the local government is involved.

5.18. Register of delegations to committees

A local government is to keep a register of the delegations made under this Division and review the delegations at least once every financial year.

5.9. Committees, types of

(1) In this section —

other person means a person who is not a council member or an employee.

(2) A committee is to comprise —

(d) council members and other persons;

INDEX

SECTION 2 – DELEGATION OF SOME POWERS AND DUTIES TO CERTAIN COMMITTEES

INDEPENDENT LIVING SENIORS ACCOMMODATION COMMITTEE 74

1.1 – REVOKED Management of the Independent Living Seniors Accommodation units as per operating guidelines 74

Delegation	1.1 – REVOKED Management of the Independent Living Seniors Accommodation units as per operating guidelines
Legislative Power to Delegate	*Local Government Act 1995* s5.16 Delegation of some powers and duties to certain committees
Legislative Power or Duty Delegated	*Local Government Act 1995* – s5.17(c)(i)
Delegate	Independent Living Seniors Accommodation Committee
Sub-delegate	Nil

Reviewed by Council at its Ordinary Meeting held on 15 September 2022. This Delegation was deleted as the ILSA Committee was formally disbanded at a Special Meeting of Council on the 30 June 2020.