



# DELEGATION REGISTER

**2023**

Adopted by Council 20 June 2023, Council Resolution 70/2023

## Table of Contents

<b>1</b>	<b>LOCAL GOVERNMENT ACT 1995 DELEGATIONS</b> .....	<b>1</b>
<b>1.1</b>	<b>Council to Committees of Council</b> .....	<b>1</b>
1.1.1	Audit and Risk Committee.....	1
<b>1.2</b>	<b>Council to CEO</b> .....	<b>2</b>
1.2.1	Powers of Entry.....	2
1.2.2	Declare Vehicle is Abandoned Vehicle Wreck.....	3
1.2.3	Confiscated or Uncollected Goods .....	4
1.2.4	Disposal of Sick or Injured Animals .....	5
1.2.5	Close Thoroughfares to Vehicles .....	6
1.2.6	Expressions of Interest for Goods and Services.....	8
1.2.7	Tenders for Goods and Services – Call Tenders.....	9
1.2.8	Tenders for Goods and Services – Accepting and Rejecting Tenders; Varying Contracts; Exercising Contract Extension Options .....	11
1.2.9	<b>Tenders for Goods and Services - Exempt Procurement</b> .....	14
1.2.10	Panels of Pre-Qualified Suppliers for Goods and Services.....	16
1.2.11	Application of Regional Price Preference Policy .....	18
1.2.12	Disposing of Property.....	19
1.2.13	Payments from the Municipal or Trust Funds .....	21
1.2.14	Defer, Grant Discounts, Waive or Write Off Debts.....	22
1.2.15	Power to Invest and Manage Investments.....	24
1.2.16	Rate Record Amendment.....	26
1.2.17	Agreement as to Payment of Rates and Service Charges.....	27
1.2.18	Recovery of Rates or Service Charges .....	28
1.2.19	Recovery of Rates Debts – Require Lessee to Pay Rent .....	29
1.2.20	Recovery of Rates Debts - Actions to Take Possession of the Land .....	30
1.2.21	Rate Record – Objections .....	32
1.2.22	Renewal or Extension of Contracts during a State of Emergency.....	33
1.2.23	<b>Procurement of Goods or Services required to address a State of Emergency</b> .....	35
<b>1.3</b>	<b>CEO to Employees</b> .....	<b>37</b>
1.3.1	Financial Management Systems and Procedures .....	37
1.3.2	<b>Electoral Enrolment Eligibility Claims and Electoral Roll</b> .....	39
1.3.3	<b>Destruction of Electoral Papers</b> .....	41
1.3.4	<b>Information to be Available to the Public</b> .....	42
<b>2</b>	<b>BUILDING ACT 2011 DELEGATIONS</b> .....	<b>44</b>
<b>2.1</b>	<b>Council to CEO / Employees</b> .....	<b>44</b>
2.1.1	Grant a Building Permit .....	44

# Delegation Register

Shire of Corrigin



2.1.2	Demolition Permits .....	46
2.1.3	Occupancy Permits or Building Approval Certificates .....	48
2.1.4	Designate Employees as Authorised Persons .....	50
2.1.5	Building Orders .....	51
2.1.6	Inspection and Copies of Building Records .....	53
2.1.7	Referrals and Issuing Certificates .....	54
2.1.8	Private Pool Barrier – Alternative and Performance Solutions .....	55
2.1.9	Smoke Alarms – Alternative Solutions .....	56
2.1.10	<b>Appointment of approved officers and authorised officers .....</b>	<b>57</b>
<b>3</b>	<b>BUSH FIRES ACT 1954 DELEGATIONS .....</b>	<b>58</b>
<b>3.1</b>	<b>Council to CEO, President and Bush Fire Control Officer .....</b>	<b>58</b>
3.1.1	Make Request to FES Commissioner – Control of Fire .....	58
3.1.2	Prohibited Burning Times - Vary .....	59
3.1.3	Prohibited Burning Times – Control Activities .....	60
3.1.4	Restricted Burning Times – Vary and Control Activities .....	62
3.1.5	Control of Operations Likely to Create Bush Fire Danger .....	64
3.1.6	Burning Garden Refuse / Open Air Fires .....	65
3.1.7	Firebreaks .....	67
3.1.8	Appoint Bush Fire Control Officer/s and Fire Weather Officer .....	68
3.1.9	Control and Extinguishment of Bush Fires .....	69
3.1.10	Recovery of Expenses Incurred through Contraventions of this Act .....	70
3.1.11	Prosecution of Offences .....	71
<b>4</b>	<b>CAT ACT 2011 DELEGATIONS .....</b>	<b>72</b>
<b>4.1</b>	<b>Council to CEO .....</b>	<b>72</b>
4.1.1	Cat Registrations .....	72
4.1.2	Cat Control Notices .....	74
4.1.3	Approval to Breed Cats .....	75
4.1.4	Recovery of Costs – Destruction of Cats .....	76
4.1.5	Applications to Keep Additional Cats .....	77
4.1.6	Reduce or Waiver Registration Fee .....	78
<b>4.2</b>	<b>Cat Act Delegations - CEO to Employees .....</b>	<b>79</b>
4.2.1	<b>Infringement Notices – Extensions and Withdrawals .....</b>	<b>79</b>
<b>5</b>	<b>DOG ACT 1974 DELEGATIONS .....</b>	<b>80</b>
<b>5.1</b>	<b>Dog Act Delegations Council to CEO .....</b>	<b>80</b>
5.1.1	Appoint Authorised Persons .....	80
5.1.2	Part Payment of Sterilisation Costs / Directions to Veterinary Surgeons .....	81
5.1.3	Refuse or Cancel Registration .....	82
5.1.4	Dispose of or Sell Dogs Liable to be Destroyed .....	84

# Delegation Register

Shire of Corrigin



5.1.5	Declare Dangerous Dog.....	85
5.1.6	Recovery of Moneys Due Under this Act.....	86
5.1.7	Determine Recoverable Expenses for Dangerous Dog Declaration .....	87
<b>6</b>	<b>FOOD ACT 2008 DELEGATIONS.....</b>	<b>88</b>
<b>6.1</b>	<b>Council to CEO .....</b>	<b>88</b>
6.1.1	Determine Compensation.....	88
6.1.2	Prohibition Orders .....	89
6.1.3	Food Business Registrations.....	90
6.1.4	Appoint Authorised Officers and Designated Officers.....	91
6.1.5	Debt Recovery and Prosecutions .....	93
6.1.6	Food Businesses List – Public Access .....	94
<b>7</b>	<b>PUBLIC HEALTH ACT 2016 DELEGATIONS .....</b>	<b>95</b>
<b>7.1</b>	<b>Council to CEO .....</b>	<b>95</b>
7.1.1	Appoint Authorised Officer or Approved Officer (Asbestos Regs).....	95
7.1.2	Enforcement Agency Reports to the Chief Health Officer .....	96
7.1.3	Designate Authorised Officers.....	97
7.1.4	Determine Compensation for Seized Items .....	99
7.1.5	Commence Proceedings.....	100
<b>8</b>	<b>PLANNING AND DEVELOPMENT ACT 2005 DELEGATIONS.....</b>	<b>101</b>
<b>8.1</b>	<b>Council to CEO .....</b>	<b>101</b>
8.1.1	Illegal Development .....	101
8.1.2	Certain Town Planning Functions Relating to Local Planning Scheme No.2 .....	103
<b>9</b>	<b>STATUTORY AUTHORISATIONS AND DELEGATIONS TO LOCAL GOVERNMENT FROM STATE GOVERNMENT ENTITIES.....</b>	<b>107</b>
<b>9.1</b>	<b>Environmental Protection Act 1986.....</b>	<b>107</b>
9.1.1	Noise Control – Environmental Protection Notices [Reg.65(1)] .....	107
9.1.2	Noise Management Plans – Keeping Log Books, Noise Control Notices, Calibration and Approval of Non-Complying Events.....	108
9.1.3	Noise Management Plans – Construction Sites.....	109
<b>9.2</b>	<b>Planning and Development Act 2005.....</b>	<b>110</b>
9.2.1	Instrument of Authorisation - Sign Development Applications for Crown Land as Owner.....	110
9.2.2	WA Planning Commission – Powers of Local Governments - s.15 of the Strata Titles Act 1985 (DEL.2020/01) .....	113
<b>9.3</b>	<b>Main Roads Act 1930 .....</b>	<b>114</b>
9.3.1	Traffic Management - Events on Roads .....	114
9.3.2	Traffic Management – Road Works .....	117
<b>9.4</b>	<b>Road Traffic (Vehicles) Act 2012.....</b>	<b>119</b>

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**9.4.1** Approval for Certain Local Government Vehicles as Special Use Vehicles ..... 119

# Delegation Register

Shire of Corrigin



## 1. Local Government Act 1995 Delegations

### 1 Local Government Act 1995 Delegations

#### 1.1 Council to Committees of Council

##### 1.1.1 Audit and Risk Committee

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.16 Delegation of some powers and duties to certain committees s.7.1B Delegation of some powers and duties to audit committees
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.7.12A(2), (3) & (4) Duties of Local Government with respect to audits
<b>Delegate:</b>	<b>Audit and Risk Committee</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to meet with the Shire's Auditor at least once every year on behalf of the Council [s.7.12A(2)].</li> <li>2. Authority to:             <ol style="list-style-type: none"> <li>i. examine the report of the Auditor and determine matters that require action to be taken by the Shire of Corrigin; and</li> <li>ii. ensure that appropriate action is taken in respect of those matters [s.7.12A(3)].</li> </ol> </li> <li>3. Authority to review and endorse the Shire of Corrigin's report on any actions taken in response to an Auditor's report, prior to it being forwarded to the Minister [s.7.12A(4)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. This delegation is not to be used where a Management Letter or Audit Report raises significant issues and the Local Government's meeting with the Auditor must be directed to the Council.
<b>Express Power to Sub-Delegate:</b>	NIL. Sub-delegation is prohibited by s.7.1B.

<b>Compliance Links:</b>	<p>Department of Local Government, Sport and Cultural Industries <a href="#">Operational Guideline No. 09 - The appointment, function and responsibilities of Audit Committees</a></p> <p>Audit and Risk Committee Terms of Reference</p> <p>Shire of Corrigin Register of Policies:</p> <ul style="list-style-type: none"> <li>- Policy 8.11 Audit and Risk Management Committee</li> <li>- Policy 8.12 Appoint of Auditor, Scope of Works and Notification of Appointments</li> </ul>
<b>Record Keeping:</b>	Audit Committee Minutes shall record and identify each decision made under this delegation in accordance with the requirements of Administration Regulation 19.

#### Version Control:

1	Delegations register adopted by Council 18 June 2019
2	
3	

**1. Local Government Act 1995 Delegations**

**1.2 Council to CEO**

**1.2.1 Powers of Entry**

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.3.28 When this Subdivision applies s.3.32 Notice of entry s.3.33 Entry under warrant s.3.34 Entry in an emergency s.3.36 Opening fences
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to exercise powers of enter to enter onto land to perform any of the local Government functions under this Act, other than entry under a Local Law [s.3.28].</li> <li>2. Authority to give notice of entry [s.3.32].</li> <li>3. Authority to seek and execute an entry under warrant [s.3.33].</li> <li>4. Authority to execute entry in an emergency, using such force as is reasonable [s.3.34(1) and (3)].</li> <li>5. Authority to give notice and effect entry by opening a fence [s.3.36].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. Delegated authority may only be used, where there is imminent or substantial risk to public safety or property.
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>NIL</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<b>NIL</b>

<b>Compliance Links:</b>	Delegates are designated employees under s5.74 of the Local Government Act 1995 and are required to provide Primary and Annual Returns  <u><a href="#">Local Government Act 1995:</a></u> s.9.10 Appointment of authorised persons – refer also s.3.32(2) Part 3, Division 3, Subdivision 3 – prescribes statutory processes for Powers of Entry s.3.34(2) Entry in an emergency – Refer to CEO Delegation
<b>Record Keeping:</b>	Notices, File Notes and Correspondence to be entered in the Shire of Corrigin Central Records system.

**Version Control:**

1	Delegations register adopted by Council 18 June 2019
2	
3	

# Delegation Register

Shire of Corrigin



## 1. Local Government Act 1995 Delegations

### 1.2.2 Declare Vehicle is Abandoned Vehicle Wreck

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.3.40A(4) Abandoned vehicle wreck may be taken
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Declare that an impounded vehicle is an abandoned vehicle wreck [s.3.40A(4)].
<b>Council Conditions on this Delegation:</b>	a. Disposal of a declared abandoned vehicle wreck to be undertaken in accordance with Delegated Authority 1.2.3 Disposing of Confiscated or Uncollected Goods or alternatively, referred for Council decision.
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Manager Works and Services*</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	NIL

<b>Compliance Links:</b>	Delegates are designated employees under s5.74 of the <i>Local Government Act 1995</i> and are required to provide Primary and Annual Returns
<b>Record Keeping:</b>	Notices, File Notes and Correspondence to be entered in the Shire of Corrigin Central Records system.

#### Version Control:

1	Delegations register adopted by Council 18 June 2019
2	
3	



# Delegation Register

Shire of Corrigin



## 1. Local Government Act 1995 Delegations

### 1.2.3 Confiscated or Uncollected Goods

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.3.46 Goods May be withheld until costs paid s.3.47 Confiscated or uncollected goods, disposal of s.3.48 Impounding expenses, recovery of
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to refuse to allow goods impounded under s.3.39 or 3.40A to be collected until the costs of removing, impounding and keeping them have been paid to the local government. [s.3.46]</li> <li>2. Authority to sell or otherwise dispose of confiscated or uncollected goods or vehicles that have been ordered to be confiscated under s.3.43 [s.3.47].</li> <li>3. Authority to recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods [s.3.48].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. Disposal of confiscated or uncollected goods, including abandoned vehicles, with a market value less than \$20,000 may, in accordance with Functions and General Regulation 30, be disposed of by any means considered to provide best value, provided the process is transparent and accountable.
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>NIL</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	NIL

<b>Compliance Links:</b>	Delegates are designated employees under s5.74 of the <i>Local Government Act 1995</i> and are required to provide Primary and Annual Returns  <a href="#">Local Government Act 1995</a> :Part 3, Division 3, Subdivision 3 s.3.58 Disposing of Property – applies to the sale of goods under s.3.47 as if they were property referred to in that section.
<b>Record Keeping:</b>	Notices, File Notes and Correspondence to be entered in the Shire of Corrigin Central Records system.

#### Version Control:

1	Delegations register adopted by Council 18 June 2019

# Delegation Register

Shire of Corrigin



## 1. Local Government Act 1995 Delegations

### 1.2.4 Disposal of Sick or Injured Animals

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.3.47A Sick or injured animals, disposal of s.3.48 Impounding expenses, recovery of
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to determine when an impounded animal is ill or injured, that treating it is not practicable, and to humanely destroy the animal and dispose of the carcass [s.3.47A(1)].</li> <li>2. Authority to recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods [s.3.48].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. Delegation only to be used where the Delegate's reasonable efforts to identify and contact an owner have failed.
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Manager Works and Services *</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	NIL

<b>Compliance Links:</b>	Delegates are designated employees under s5.74 of the <i>Local Government Act 1995</i> and are required to provide Primary and Annual Returns  <i>Shire of Corrigin Health Local Law 2016</i>
<b>Record Keeping</b>	File Notes and Correspondence to be entered in the Shire of Corrigin Central Records system.

#### Version Control:

1	Delegations register adopted by Council 18 June 2019
2	Amended - Delegations register adopted by Council 16 June 2020
3	

# Delegation Register

Shire of Corrigin



## 1. Local Government Act 1995 Delegations

### 1.2.5 Close Thoroughfares to Vehicles

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.3.50 Closing certain thoroughfares to vehicles s.3.50A Partial closure of thoroughfare for repairs or maintenance s.3.51 Affected owners to be notified of certain proposals
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to close a thoroughfare (wholly or partially) to vehicles or particular classes of vehicles for a period not exceeding 4-weeks [s.3.50(1)].</li> <li>2. Authority to determine to close a thoroughfare for a period exceeding 4-weeks and before doing so, to: <ul style="list-style-type: none"> <li>• give; public notice, written notice to the Commissioner of Main Roads and written notice to prescribed persons and persons that own prescribed land; and</li> <li>• consider submissions relevant to the road closure/s proposed [s.3.50(1a), (2) and (4)].</li> </ul> </li> <li>3. Authority to revoke an order to close a thoroughfare [s.3.50(6)].</li> <li>4. Authority to partially and temporarily close a thoroughfare without public notice for repairs or maintenance, where it is unlikely to have significant adverse effect on users of the thoroughfare [s.3.50A]</li> <li>5. Before doing anything to which section 3.51 applies, take action to notify affected owners and give public notice that allows reasonable time for submissions to be made and consider any submissions made before determining to fix or alter the level or alignment of a thoroughfare or draining water from a thoroughfare to private land [s.3.51].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. If, under s.3.50(1), a thoroughfare is closed without giving local public notice, local public notice is to be given as soon as practicable after the thoroughfare is closed [s.3.50(8)].</li> <li>b. Maintain access to adjoining land [s.3.52(3)] (relevant to a Townsite only).</li> </ol>
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Manager Works and Services*</b>
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# Delegation Register

Shire of Corrigin



## 1. Local Government Act 1995 Delegations

<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	This delegation is restricted to the closing or partial closing of thoroughfares for the purpose of repairs and maintenance of that thoroughfare.
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Compliance Links:	Delegates are designated employees under s5.74 of the <i>Local Government Act 1995</i> and are required to provide Primary and Annual Returns
Record Keeping:	Notices, File Notes and Correspondence to be entered in the Shire of Corrigin Central Records system.

### Version Control:

1	Delegations register adopted by Council 18 June 2019
2	
3	

# Delegation Register

Shire of Corrigin



## 1. Local Government Act 1995 Delegations

### 1.2.6 Expressions of Interest for Goods and Services

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.3.57 Tenders for providing goods or services <i>Local Government (Functions and General) Regulations 1996:</i> r.21 Limiting who can tender, procedure for r.23 Rejecting and accepting expressions of interest to be acceptable tenderer
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to determine when to seek Expressions of Interest and to invite Expressions of Interest for the supply of goods or services [F&amp;G r.21].</li> <li>2. Authority to consider Expressions of Interest which have not been rejected and determine those which are capable of satisfactorily providing the goods or services, for listing as acceptable tenderers [F&amp;G r.23].</li> </ol>
<b>Council Conditions on this Delegation:</b>	NIL
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>NIL</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	NIL

<b>Compliance Links:</b>	Delegates are designated employees under s5.74 of the <i>Local Government Act 1995</i> and are required to provide Primary and Annual Returns  <a href="#">Local Government (Functions and General) Regulations 1996</a> – prescribe applicable statutory procedures  <a href="#">WALGA Subscription Service</a> – Procurement Toolkit  Shire of Corrigin Register of Policies: - Policy 2.7 Purchasing Policy - Policy 2.8 Regional Price Preference Policy
<b>Record Keeping:</b>	File Notes and Correspondence to be entered in the Shire of Corrigin Central Records system.

#### Version Control:

1	Delegations register adopted by Council 18 June 2019
2	Amended. Delegations register adopted by Council 21 June 2022
3	

# Delegation Register

Shire of Corrigin



## 1. Local Government Act 1995 Delegations

### 1.2.7 Tenders for Goods and Services – Call Tenders

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.3.57 Tenders for providing goods or services <i>Local Government (Functions and General) Regulations 1996:</i> r.11 When tenders have to be publicly invited r.13 Requirements when local government invites tenders though not required to do so r.14 Publicly inviting tenders, requirements for
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to call tenders [F&amp;G r.11(1)].</li> <li>2. Authority to invite tenders although not required to do so [F&amp;G r.13].</li> <li>3. Authority to determine in writing, before tenders are called, the criteria for acceptance of tenders [F&amp;G r.14 (2a)].</li> <li>4. Authority to determine the information that is to be disclosed to those interested in submitting a tender [F&amp;G r.14(4)(a)].</li> <li>5. Authority to vary tender information after public notice of invitation to tender and before the close of tenders, taking reasonable steps to ensure each person who has sought copies of the tender information is provided notice of the variation [F&amp;G r.14(5)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a) Tenders may only be called where there is an adopted budget for the proposed goods or services, with the exception being in the period immediately prior to the adoption of a new Annual Budget and where: <ol style="list-style-type: none"> <li>I. proposed goods or services are required to fulfil a routine contract related to the day-to-day operations of the Local Government; or</li> <li>II. current supply contract expiry is imminent; and</li> <li>III. the value of the proposed new contract has been included in the draft Annual Budget proposed for adoption, and</li> <li>IV. the tender specification includes a provision that the tender will only be awarded subject to the budget adoption by the Council.</li> </ol> </li> <li>b) In accordance with the requirements of Shire of Corrigin Purchasing Policy as it relates to tendering.</li> </ol>
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>NIL</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<b>NIL</b>

# Delegation Register

Shire of Corrigin



## 1. Local Government Act 1995 Delegations

Compliance Links:	Delegates are designated employees under s5.74 of the <i>Local Government Act 1995</i> and are required to provide Primary and Annual Returns  <a href="#">Local Government (Functions and General) Regulations 1996</a> – prescribe applicable statutory procedures  <a href="#">WALGA Subscription Service</a> – Procurement Toolkit  Shire of Corrigin Register of Policies: - Policy 2.7 Purchasing Policy - Policy 2.8 Regional Price Preference Policy
Record Keeping:	File Notes and Correspondence to be entered in the Shire of Corrigin Central Records system.

### Version Control:

1	Delegations register adopted by Council 18 June 2019
2	Amended. Delegations register adopted by Council 15 June 2021
3	Amended. Delegations register adopted by Council 21 June 2022



## 1. Local Government Act 1995 Delegations

### 1.2.8 Tenders for Goods and Services – Accepting and Rejecting Tenders; Varying Contracts; Exercising Contract Extension Options

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.3.57 Tenders for providing goods or services <i>Local Government (Functions and General) Regulations 1996:</i> r.11 (2)(j) Exercising contract extension options r.18 (2), (4), (4a), (5), (6) and (7) Rejecting and accepting tenders r.20(1), (2), (3) Variation of requirements before entry into contract r.21A Varying a contract for the supply of goods or services
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to determine whether or not to reject tenders that do not comply with requirements as specified in the invitation to tender [F&amp;G.r.18(2)].</li> <li>2. Authority to seek clarification from tenderers in relation to information contained in their tender submission [F&amp;G r.18(4a)].</li> <li>3. Authority to assess, by written evaluation, tenders that have not been rejected, to determine:                         <ol style="list-style-type: none"> <li>i. The extent to which each tender satisfies the criteria for deciding which tender to accept; and</li> <li>ii. To accept the tender that is most advantageous within the \$250,000 detailed as a condition on this Delegation [F&amp;G r.18(4)].</li> </ol> </li> <li>4. Authority to decline to accept any tender [F&amp;G r.18(5)].</li> <li>5. Authority to accept the next most advantageous tender if, within 6-months of accepting a tender, a contract has not been entered into <u>OR</u> the local government and the successful tenderer agree to terminate the contract [F&amp;G r.18(6) &amp; (7)].</li> <li>6. Authority to determine whether variations in goods and services required are minor variations, and to negotiate with the successful tenderer to make minor variations <u>before</u> entering into a contract [F&amp;G r.20(1) and (3)].</li> <li>7. Authority to choose the next most advantageous tender to accept, if the chosen tenderer is unable or unwilling to form a contract to supply the varied requirement <u>OR</u> the minor variation cannot be agreed with the successful tenderer, so that the tenderer ceases to be the chosen tenderer [F&amp;G r.20(2)].</li> <li>8. Authority to vary a tendered contract, <u>after</u> it has been entered into, provided the variation/s are necessary for the goods and services to be supplied, and do not change the scope of the original contract or increase the contract value <b>beyond 5% or to a maximum of \$50,000</b> whichever is the lesser value [F&amp;G r.21A(a)].</li> </ol>



# Delegation Register

Shire of Corrigin



## 1. Local Government Act 1995 Delegations

	<p>9. Authority to exercise a contract extension option that was included in the original tender specification and contract in accordance with r.11(2)(j).</p>
<p><b>Council Conditions on this Delegation:</b></p>	<p>a. Exercise of authority under F&amp;G.r.18(2) requires consideration of whether or not the requirements as specified in the invitation to tender have been expressed as mandatory and if so, discretion may not be capable of being exercised – consider process contract implications.</p> <p>b. In accordance with s.5.43(b), tenders may only be accepted under this delegation, where:</p> <ul style="list-style-type: none"> <li>i. The total consideration under the resulting contract is \$250,000 or less;</li> <li>ii. The expense is included in the adopted Annual Budget; and</li> <li>iii. The tenderer has complied with requirements under F&amp;G r.18(2) and (4).</li> </ul> <p>c. A decision to vary a tendered contract <u>before</u> entry into the contract [F&amp;G r.20(1) and (3)] must include evidence that the variation is minor in comparison to the total goods or services that tenderers were invited to supply.</p> <p>d. A decision to vary a tendered contract <u>after</u> entry into the contract [F&amp;G r.21A(a)] must comply with the adopted Purchasing Policy 2.7 and must include evidence that the variation is necessary and does not change the scope of the contract.</p> <p>e. A decision to renew or extend the contract must only occur where the original contract contained the option to renew or extend its term as per r.11(2)(j) <b>and</b> that the contractor's performance has been reviewed and the review evidences the rationale for entering into the extended term.</p>
<p><b>Express Power to Sub-Delegate:</b></p>	<p>Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees</p>

<p><b>Sub-Delegate/s:</b> <i>Appointed by CEO</i></p>	<p><b>NIL</b></p>
<p><b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i></p>	<p><b>NIL</b></p>

# Delegation Register

Shire of Corrigin



## 1. Local Government Act 1995 Delegations

Compliance Links:	Delegates are designated employees under s5.74 of the <i>Local Government Act 1995</i> and are required to provide Primary and Annual Returns  <a href="#">Local Government (Functions and General) Regulations 1996</a> – prescribe applicable statutory procedures  <a href="#">WALGA Subscription Service</a> – Procurement Toolkit  Shire of Corrigin Register of Policies: - Policy 2.7 Purchasing Policy - Policy 2.8 Regional Price Preference Policy
Record Keeping:	File Notes and Correspondence to be entered in the Shire of Corrigin Central Records system.

### Version Control:

1	Delegations register adopted by Council
2	Amended. Delegations register adopted by Council 15 June 2021
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# Delegation Register

Shire of Corrigin



## 1. Local Government Act 1995 Delegations

### 1.2.9 Tenders for Goods and Services - Exempt Procurement

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government												
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO												
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.3.57 Tenders for providing goods or services <i>Local Government (Functions and General) Regulations 1996:</i> r.11(2) When tenders have to be publicly invited ( <i>exemptions</i> )												
<b>Delegate:</b>	<b>Chief Executive Officer</b>												
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to undertake tender exempt procurement, in accordance with the Purchasing Policy requirements, where the total consideration under the resulting contract is expected to be included in the adopted Annual Budget [F&amp;G.r.11(2)].</li> <li>2. Authority to, because of the unique nature of the goods or services or for any other reason it is unlikely that there is more than one supplier, determine to contract directly with a suitable supplier [F&amp;G r.11(2)(f)].</li> </ol>												
<b>Council Conditions on this Delegation:</b>	<p>a. Tender exempt procurement under F&amp;G.r.11(2) may only be approved where the total consideration under the resulting contract is expected to be less than the maximum \$value specified for the following categories:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 70%;">Category</th> <th style="width: 30%;">Maximum Value for individual contracts</th> </tr> </thead> <tbody> <tr> <td>WALGA Preferred Supplier Program [F&amp;G.r.11(2)(b)]</td> <td style="text-align: center;">\$250,000</td> </tr> <tr> <td>Goods or services obtained through the Government of the State or Commonwealth or any of its agencies, or by a local government or regional local government [F&amp;G.r.11(2)(e)]</td> <td style="text-align: center;">\$250,000</td> </tr> <tr> <td>Goods or services that are determined to be unique so that it is unlikely that there is more than one supplier in accordance with delegation condition (b.) specified below [F&amp;G.r.(2)(f)]</td> <td style="text-align: center;">\$250,000</td> </tr> <tr> <td>Supply of petrol, oil or any other liquid or gas used for internal combustion engines [F&amp;G.r.11(2)(g)]</td> <td style="text-align: center;">\$250,000</td> </tr> <tr> <td>Goods or services supplied by a person registered on the Aboriginal Business Directory WA <u>OR</u> Indigenous Minority Supplier Office Limited (T/as Supply Nation) <u>AND</u> where satisfied that</td> <td style="text-align: center;">\$250,000* <i>*as specified in F&amp;G.r.11(2)(h)(ii)</i></td> </tr> </tbody> </table>	Category	Maximum Value for individual contracts	WALGA Preferred Supplier Program [F&G.r.11(2)(b)]	\$250,000	Goods or services obtained through the Government of the State or Commonwealth or any of its agencies, or by a local government or regional local government [F&G.r.11(2)(e)]	\$250,000	Goods or services that are determined to be unique so that it is unlikely that there is more than one supplier in accordance with delegation condition (b.) specified below [F&G.r.(2)(f)]	\$250,000	Supply of petrol, oil or any other liquid or gas used for internal combustion engines [F&G.r.11(2)(g)]	\$250,000	Goods or services supplied by a person registered on the Aboriginal Business Directory WA <u>OR</u> Indigenous Minority Supplier Office Limited (T/as Supply Nation) <u>AND</u> where satisfied that	\$250,000* <i>*as specified in F&amp;G.r.11(2)(h)(ii)</i>
Category	Maximum Value for individual contracts												
WALGA Preferred Supplier Program [F&G.r.11(2)(b)]	\$250,000												
Goods or services obtained through the Government of the State or Commonwealth or any of its agencies, or by a local government or regional local government [F&G.r.11(2)(e)]	\$250,000												
Goods or services that are determined to be unique so that it is unlikely that there is more than one supplier in accordance with delegation condition (b.) specified below [F&G.r.(2)(f)]	\$250,000												
Supply of petrol, oil or any other liquid or gas used for internal combustion engines [F&G.r.11(2)(g)]	\$250,000												
Goods or services supplied by a person registered on the Aboriginal Business Directory WA <u>OR</u> Indigenous Minority Supplier Office Limited (T/as Supply Nation) <u>AND</u> where satisfied that	\$250,000* <i>*as specified in F&amp;G.r.11(2)(h)(ii)</i>												

**1. Local Government Act 1995 Delegations**

	the contract represents value for money. [F&G.r.11(2)(h)]	
	Goods or services supplied by an Australian Disability Enterprise [F&G.r.11(2)(i)]	\$250,000
	<p>b. Tender exempt procurement under F&amp;G r.11(2)(f) may only be approved where a record is retained that evidences:</p> <ul style="list-style-type: none"> <li>i. A detailed specification;</li> <li>ii. The outcomes of market testing of the specification;</li> <li>iii. The reasons why market testing has not met the requirements of the specification;</li> <li>iv. Rationale for why the supply is unique and cannot be sourced through other suppliers; and</li> <li>v. The expense is included in the adopted Annual Budget.</li> </ul> <p>c. Where the total consideration of a Tender Exempt procurement contract exceeds the \$250,000 delegated above, the decision is to be referred to Council.</p>	
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees	

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>NIL</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	a. Each sub-delegate may only use the sub-delegation in regard to contracts that are within the scope of the incumbent's position role and responsibilities.

<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 of the <i>Local Government Act 1995</i> and are required to provide Primary and Annual Returns.  <a href="#">Local Government (Functions and General) Regulations 1996</a> – prescribe applicable statutory procedures  <a href="#">WALGA Subscription Service</a> – Procurement Toolkit  Council Policy 2.7 Purchasing Policy
<b>Record Keeping:</b>	File Notes and Correspondence to be entered in the Shire of Corrigin Central Records system.

**Version Control:**

1	Delegations register adopted by Council 15 June 2021
2	Amended. Delegations register adopted by Council 21 June 2022
3	

## 1. Local Government Act 1995 Delegations

### 1.2.10 Panels of Pre-Qualified Suppliers for Goods and Services

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government (Functions and General) Regulation 1996:</i> r.24AB Local government may establish panels of pre-qualified suppliers r.24AC(1)(b) Requirements before establishing panels of pre-qualified suppliers r.24AD(3) & (6) Requirements when inviting persons to apply to join panel of pre-qualified suppliers r.24AH(2), (3), (4) and (5) Rejecting and accepting applications to join panel of pre-qualified suppliers
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to determine that a there is a continuing need for the goods or services proposed to be provided by a panel of pre-qualified suppliers [F&amp;G r.24AC(1)(b)].</li> <li>2. Authority to, before inviting submissions, determine the written criteria for deciding which application should be for inclusion in a panel of pre-qualified suppliers should be accepted [F&amp;G r.24AD(3)].</li> <li>3.. Authority to vary panel of pre-qualified supplier information after public notice inviting submissions has been given, taking reasonable steps to each person who has enquired or submitted an application is provided notice of the variation [F&amp;G r.24AD(6)].</li> <li>4. Authority to reject an application without considering its merits, where it was submitted at a place and within the time specified, but fails to comply with any other requirement specified in the invitation [F&amp;G r.24AH(2)].</li> <li>5. Authority to assess applications, by written evaluation of the extent to which the submission satisfies the criteria for deciding which applicants to accept, and decide which applications to accept as most advantageous [F&amp;G r.24AH(3)].</li> <li>6. Authority to request clarification of information provided in a submission by an applicant [F&amp;G r.24AH(4)].</li> <li>7. Authority to decline to accept any application [F&amp;G r.24AH(5)].</li> <li>8. Authority to enter into contract, or contracts, for the supply of goods or services with a pre-qualified supplier, as part of a panel of pre-qualified suppliers for those particular goods or services [F&amp;G r.24AJ(1)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. In accordance with s.5.43, panels of pre-qualified suppliers may only be established, where the total consideration under the resulting contract is \$200,000 or less and the expense is included in the adopted Annual Budget.</li> </ol>
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

# Delegation Register

Shire of Corrigin



## 1. Local Government Act 1995 Delegations

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	NIL
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	NIL

Compliance Links:	Delegates are designated employees under s5.74 of the <i>Local Government Act 1995</i> and are required to provide Primary and Annual Returns  <a href="#">Local Government (Functions and General) Regulations 1996</a> – prescribe applicable statutory procedures  <a href="#">WALGA Subscription Service</a> – Procurement Toolkit  Shire of Corrigin Register of Policies: - Policy 2.7 Purchasing Policy - Policy 2.8 Regional Price Preference Policy
Record Keeping:	File Notes and Correspondence to be entered in the Shire of Corrigin Central Records system.

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3	

# Delegation Register

Shire of Corrigin



## 1. Local Government Act 1995 Delegations

### 1.2.11 Application of Regional Price Preference Policy

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government (Functions and General) Regulations 1996::</i> r.24G Adopted regional price preference policy, effect of
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to decide when not to apply the regional price preference policy to a particular future tender [F&G r.24G].
<b>Council Conditions on this Delegation:</b>	NIL
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>NIL</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	NIL

<b>Compliance Links:</b>	Delegates are designated employees under s5.74 of the <i>Local Government Act 1995</i> and are required to provide Primary and Annual Returns  Shire of Corrigin Register of Policies: - Policy 2.7 Purchasing Policy - Policy 2.8 Regional Price Preference Policy
<b>Record Keeping:</b>	File Notes and Correspondence to be entered in the Shire of Corrigin Central Records system.

#### Version Control:

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3	



# Delegation Register

Shire of Corrigin



## 1. Local Government Act 1995 Delegations

### 1.2.12 Disposing of Property

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.3.58(2) & (3) Disposing of Property
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to dispose of property to: <ol style="list-style-type: none"> <li>(a) to the highest bidder at public auction [s.3.58(2)(a)].</li> <li>(b) to the person who at public tender called by the local government makes what is considered by the delegate to be, the most acceptable tender, whether or not it is the highest tenders [s.3.58(2)(b)]</li> </ol> 2. Authority to dispose of property by private treaty only in accordance with section 3.58(3) and prior to the disposal, to consider any submissions received following the giving of public notice [s.3.58(3)].
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. Disposal of land or building assets is limited to matters specified in the Annual Budget and in any other case, a Council resolution is required.</li> <li>b. In accordance with s.5.43, disposal of property, for any single project or where not part of a project but part of a single transaction, is limited to a maximum value of \$20,000 or less.</li> <li>c. When determining the method of disposal:                         <ul style="list-style-type: none"> <li>• Where a public auction is determined as the method of disposal:                                 <ul style="list-style-type: none"> <li>○ Reserve price has been set by independent valuation.</li> <li>○ Where the reserve price is not achieved at auction, negotiation may be undertaken to achieve the sale at up to a -10% variation on the set reserve price.</li> </ul> </li> <li>• Where a public tender is determined as the method of disposal and the tender does not achieve a reasonable price for the disposal of the property, then the CEO is to determine if better value could be achieved through another disposal method and if so, must determine not to accept any tender and use an alternative disposal method.</li> <li>• Where a private treaty is determined [s.3.58(3)] as the method of disposal, authority to:                                 <ul style="list-style-type: none"> <li>○ Negotiate the sale of the property up to a -10% variance on the valuation; and</li> <li>○ Consider any public submissions received and determine if to proceed with the disposal, ensuring that the reasons for such a decision are recorded.</li> </ul> </li> </ul> </li> </ol>



# Delegation Register

Shire of Corrigin



## 1. Local Government Act 1995 Delegations

	<p>d. Where the market value of the property is determined as being less than \$20,000 (F&amp;G r.30(3) excluded disposal) may be undertaken:</p> <ul style="list-style-type: none"> <li>• Without reference to Council for resolution; and</li> <li>• In any case, be undertaken to ensure that the best value return is achieved however, where the property is determined as having a NIL market value, then the disposal must ensure environmentally responsible disposal.</li> </ul>
<b>Express Power to Sub-Delegate:</b>	<p><i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees</p>

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	NIL
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	NIL

Compliance Links:	<p>Delegates are designated employees under s5.74 of the <i>Local Government Act 1995</i> and are required to provide Primary and Annual Returns</p> <p><a href="#">Local Government Act 1995</a> – s.3.58 Disposal of Property</p> <p><a href="#">Local Government (Functions and General) Regulations 1995</a> – r.30 Dispositions of property excluded from Act s. 3.58</p>
Record Keeping:	<p>File Notes and Correspondence to be entered in the Shire of Corrigin Central Records system.</p>

### Version Control:

1	Delegations register adopted by Council 18 June 2019
2	
3	

**1. Local Government Act 1995 Delegations**

**1.2.13 Payments from the Municipal or Trust Funds**

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government (Financial Management) Regulations 1996:</i> r.12(1)(a) Payments from municipal fund or trust fund, restrictions on making
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to make payments from the municipal or trust funds [r.12(1)(a)].
<b>Council Conditions on this Delegation:</b>	a. Authority to make payments is subject to annual budget limitations.
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Senior Finance Officer*</b> <b>Deputy CEO*</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<ol style="list-style-type: none"> <li>Delegates must comply with the Procedures approved by the CEO in accordance with Financial Management Regulation 5.</li> <li>Payments by Cheque and EFT transactions must be approved jointly by two Delegates, one of whom must be the CEO or Deputy CEO.</li> <li>Delegates that approve the payment must not verify the liability. The verification of incurring the liability via the purchase order, invoice and evidence of goods / service received, must be undertaken independent of the payment approval.</li> </ol>

<b>Compliance Links:</b>	Delegates are designated employees under s5.74 of the <i>Local Government Act 1995</i> and are required to provide Primary and Annual Returns  <a href="#">Local Government Act 1995</a> <a href="#">Local Government (Financial Management) Regulations 1996</a> - refer specifically r.13 Payments from municipal fund or trust fund by CEO, CEO's duties as to etc. <a href="#">Local Government (Audit) Regulations 1996</a>  Department of Local Government, Sport and Cultural Industries <a href="#">Operational Guideline No.11 – Use of Corporate Credit Cards</a>  Department of Local Government, Sport and Cultural Industries: <a href="#">Accounting Manual</a>
<b>Record Keeping:</b>	Invoices and authorisations to be entered in the Shire of Corrigin Central Records system.

**Version Control:**

1	Delegations register adopted by Council 18 June 2019
2	Amended - Delegations register adopted by Council 16 June 2020
3	Delegations register adopted by Council 15 June 2021

# Delegation Register

Shire of Corrigin



## 1. Local Government Act 1995 Delegations

### 1.2.14 Defer, Grant Discounts, Waive or Write Off Debts

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.6.12 Power to defer, grant discounts, waive or write off debts
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Waive a debt which is owed to the Shire of Corrigin [s.6.12(1)(b)].</li> <li>2. Grant a concession in relation to money which is owed to the Shire of Corrigin [s.6.12(1)(b)].</li> <li>3. Write off an amount of money which is owed to the Shire of Corrigin [s.6.12(1)(c)]</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. This Delegation does not apply to debts, which are prescribed as debts that are taken to be a rate or service charge.</li> <li>b. A debt may only be waived where:             <ol style="list-style-type: none"> <li>i. It is up to \$2,000 and considered solely on its merits.</li> <li>ii It is for the waiving of fees up to an amount of \$500 and only where in the opinion of the Chief Executive Officer, the organisation that seeks the waiver is a charitable organisation or not for profit community groups in accordance with Policy 2.6.</li> </ol> </li> <li>c. A concession may only be granted where:             <ol style="list-style-type: none"> <li>i. It is up to \$2,000 and considered solely on its merits.</li> <li>ii To an amount of \$500 and only where in the opinion of the Chief Executive Officer, the organisation that seeks the waiver is a charitable organisation or not for profit community groups in accordance with Policy 2.6.</li> </ol> </li> <li>d. A debt may only be written off where all necessary measures have been taken to locate / contact the debtor and where costs associated continued action to recover the debt will outweigh the net value of the debt if recovered by the Shire of Corrigin.             <ol style="list-style-type: none"> <li>i. Limited to individual debts valued below \$1,000 if it is more than 12 months old or less than \$200 if it is between 90 days and 12 months old, or cumulative debts of a debtor valued below \$1,000 over a 12 month period. Write off of debts greater than these values must be referred for Council decision.</li> </ol> </li> </ol>
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

# Delegation Register

Shire of Corrigin



## 1. Local Government Act 1995 Delegations

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	NIL
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	NIL

Compliance Links:	<p>Delegates are designated employees under s5.74 of the <i>Local Government Act 1995</i> and are required to provide Primary and Annual Returns</p> <p>Collection of Rates Debts – refer Delegations:</p> <p>Delegation 1.2.16 Agreement as to Payment of Rates and Service Charges          Delegation 1.2.17 Recovery of Rates or Service Charges          Delegation 1.2.18 Recovery of Rates Debts – Require Lessee to Pay Rent          Delegation 1.2.19 Recovery of Rates Debts – Actions to Take Possession of the Land</p> <p>Shire of Corrigin Register of Policies:</p> <ul style="list-style-type: none"> <li>- Policy 2.2 Debt Collection</li> <li>- Policy 2.6 Charitable Organisation</li> </ul>
Record Keeping:	File Notes and Correspondence to be entered in the Shire of Corrigin Central Records system.

### Version Control:

1	Delegations register adopted by Council 18 June 2019
2	
3	

# Delegation Register

Shire of Corrigin



## 1. Local Government Act 1995 Delegations

### 1.2.15 Power to Invest and Manage Investments

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.6.14 Power to invest <i>Local Government (Financial Management) Regulations 1996:</i> r.19 Investments, control procedures for
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to invest money held in the municipal fund or trust fund that is not, for the time being, required for any other purpose [s.6.14(1)].</li> <li>2. Authority to establish and document internal control procedures to be followed in the investment and management of investments [FM r.19].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. All investment activity must comply with the Financial Management Regulation 19C and Council Policy 2.11.</li> <li>b. A report detailing the investment portfolio's performance, exposures and changes since last reporting, is to be provided as part of the Monthly Financial Reports.</li> <li>c. Procedures are to be systematically documented and retained in accordance with the Record Keeping Plan, and must include references that enable recognition of statutory requirements and assign responsibility for actions to position titles.</li> <li>d. Procedures are to be administratively reviewed for continuing compliance and confirmed as 'fit for purpose' and subsequently considered by the Audit and Risk Committee at least once every 3 financial years. [Audit r.17]</li> </ol>
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Deputy CEO*</b> <b>Senior Finance Officer*</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	1. A decision to invest must be jointly confirmed by the CEO.

# Delegation Register

Shire of Corrigin



## 1. Local Government Act 1995 Delegations

Compliance Links:	Delegates are designated employees under s5.74 of the <i>Local Government Act 1995</i> and are required to provide Primary and Annual Returns  <a href="#">Local Government (Financial Management) Regulations 1996</a> – refer r.19C Investment of money, restrictions on (Act s.6.14(2)(a))  Shire of Corrigin Register of Policies: - Policy 2.11 Investment of Funds
Record Keeping:	File Notes and Correspondence to be entered in the Shire of Corrigin Central Records system.

### Version Control:

1	Delegations register adopted by Council 18 June 2019
2	Amended - Delegations register adopted by Council 16 June 2020
3	Delegations register adopted by Council 15 June 2021

# Delegation Register

Shire of Corrigin



## 1. Local Government Act 1995 Delegations

### 1.2.16 Rate Record Amendment

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.6.39(2)(b) Rate record
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to determine any requirement to amend the rate record for the 5-years preceding the current financial year [s.6.39(2)(b)].
<b>Council Conditions on this Delegation:</b>	a. Delegates must comply with the requirements of s.6.40 of the Act.
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Deputy CEO *</b> <b>Senior Finance Officer *</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	NIL

<b>Compliance Links:</b>	Delegates are designated employees under s5.74 of the <i>Local Government Act 1995</i> and are required to provide Primary and Annual Returns  <a href="#">Local Government Act 1995</a> – s.6.40 prescribes consequential actions that may be required following a decision to amend the rate record.  Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
<b>Record Keeping:</b>	File Notes and Correspondence to be entered in the Shire of Corrigin Central Records system.

#### Version Control:

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# Delegation Register

Shire of Corrigin



## 1. Local Government Act 1995 Delegations

### 1.2.17 Agreement as to Payment of Rates and Service Charges

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.6.49 Agreement as to payment of rates and service charges
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to make an agreement with a person for the payment of rates or service charges [s.6.49].
<b>Council Conditions on this Delegation:</b>	a. Agreements must be in writing and must ensure acquittal of the rates or service charge debt before the next annual rates or service charges are levied.
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Deputy CEO*</b> <b>Senior Finance Officer*</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	1. Limited to an outstanding amount of up to \$10,000

<b>Compliance Links:</b>	Delegates are designated employees under s5.74 of the <i>Local Government Act 1995</i> and are required to provide Primary and Annual Returns  Shire of Corrigin Register of Policies: - Policy 2.1 Rates Procedure for Unpaid Rates
<b>Record Keeping:</b>	File Notes and Correspondence to be entered in the Shire of Corrigin Central Records system.

#### Version Control:

1	Delegations register adopted by Council 18 June 2019
2	Amended - Delegations register adopted by Council 16 June 2020
3	Amended – Delegations Register adopted by Council 21 June 2022



# Delegation Register

Shire of Corrigin



## 1. Local Government Act 1995 Delegations

### 1.2.18 Recovery of Rates or Service Charges

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.6.56 Rates or service charges recoverable in court s.6.64(3) Actions to be taken
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to recover rates or service charges, as well as costs of proceedings for the recovery, in a court of competent jurisdiction [s.6.56(1)].</li> <li>2. Authority to lodge (and withdraw) a caveat to preclude dealings in respect of land where payment of rates or service charges imposed on that land is in arrears [s.6.64(3)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	NIL
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Deputy CEO*</b> <b>Senior Finance Officer*</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	NIL

<b>Compliance Links:</b>	Delegates are designated employees under s5.74 of the <i>Local Government Act 1995</i> and are required to provide Primary and Annual Returns  Shire of Corrigin Register of Policies: - Policy 2.1 Rates Procedure for Unpaid Rates - Policy 2.2 Debt Collection
<b>Record Keeping:</b>	File Notes and Correspondence to be entered in the Shire of Corrigin Central Records system.

#### Version Control:

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# Delegation Register

Shire of Corrigin



## 1. Local Government Act 1995 Delegations

### 1.2.19 Recovery of Rates Debts – Require Lessee to Pay Rent

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.6.60 Local Government may require lessee to pay rent
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to give notice to a lessee of land in respect of which there is an unpaid rate or service charge, requiring the lessee to pay its rent to the Shire of Corrigin [s.6.60(2)].</li> <li>2. Authority to recover the amount of the rate or service charge as a debt from the lessee if rent is not paid in accordance with a notice [s.6.60(4)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	NIL
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Deputy CEO*</b> <b>Senior Finance Officer*</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	NIL

<b>Compliance Links:</b>	Delegates are designated employees under s5.74 of the <i>Local Government Act 1995</i> and are required to provide Primary and Annual Returns  <a href="#">Local Government Act 1995</a> – refer sections 6.61 and 6.62 and Schedule 6.2 prescribe procedures relevant to exercise of authority under s.6.60.  Shire of Corrigin Register of Policies: - Policy 2.1 Rates Procedure for Unpaid Rates - Policy 2.2 Debt Collection
<b>Record Keeping:</b>	File Notes and Correspondence to be entered in the Shire of Corrigin Central Records system.

#### Version Control:

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# Delegation Register

Shire of Corrigin



## 1. Local Government Act 1995 Delegations

### 1.2.20 Recovery of Rates Debts - Actions to Take Possession of the Land

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.6.64(1) & (3) Actions to be taken s.6.69(2) Right to pay rates, service charges and costs, and stay proceedings s.6.71 Power to transfer land to Crown or local government s.6.74 Power to have land revested in Crown if rates in arrears 3 years
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to take possession of land and hold the land against a person having an estate or interest in the land where rates or service charges have remained unpaid for at least three years [s.6.64(1)], including:             <ol style="list-style-type: none"> <li>i. lease the land, or</li> <li>ii. sell the land; or where land is offered for sale and a contract of sale has not been entered into after 12 months:                 <ol style="list-style-type: none"> <li>I. cause the land to be transferred to the Crown [s.6.71 and s.6.74]; or</li> <li>II. cause the land to be transferred to the Shire of Corrigin [s.6.71].</li> </ol> </li> </ol> </li> <li>2. Authority to agree terms and conditions with a person having estate or interest in land and to accept payment of outstanding rates, service charges and costs within 7 days of and prior to the proposed sale [s.6.69(2)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. In accordance with s.6.68(3A), this delegation cannot be used where a decision relates to exercising a power of sale <u>without having</u>, within the previous 3-years attempted to recover the outstanding rates / charges through a court under s.6.56, as s.6.68(3A) requires that the reasons why court action has not been pursued must be recorded in Council Minutes.</li> <li>b. Exercise of this delegation must comply with the procedures set out in Schedule 6.3 of the <i>Local Government Act 1995</i>.</li> </ol>
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Deputy CEO*</b> <b>Senior Finance Officer*</b>
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# Delegation Register

Shire of Corrigin



## 1. Local Government Act 1995 Delegations

<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	NIL
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<b>Compliance Links:</b>	<p>Delegates are designated employees under s5.74 of the <i>Local Government Act 1995</i> and are required to provide Primary and Annual Returns</p> <p><a href="#">Local Government Act 1995</a> – Part 6, Division 6 Subdivision 6 and Schedule.6.3 prescribe procedures relevant to exercise of authority under this delegation.</p> <p><a href="#">Local Government (Financial Management) Regulations 1996</a> – regulations 72 – 78 prescribe forms and procedures relevant to exercise of authority under this delegation.</p> <p>Shire of Corrigin Register of Policies:</p> <ul style="list-style-type: none"> <li>- Policy 2.1 Rates Procedure for Unpaid Rates</li> <li>- Policy 2.2 Debt Collection</li> </ul>
<b>Record Keeping:</b>	File Notes and Correspondence to be entered in the Shire of Corrigin Central Records system.

### Version Control:

1	Delegations register adopted by Council 18 June 2019
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3	Delegations register adopted by Council 15 June 2021
4	Amended. Delegations register adopted by Council 21 June 2022

# Delegation Register

Shire of Corrigin



## 1. Local Government Act 1995 Delegations

### 1.2.21 Rate Record – Objections

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.6.76 Grounds of objection
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to extend the time for a person to make an objection to a rate record [s.6.76(4)].</li> <li>2. Authority to consider an objection to a rate record and either allow it or disallow it, wholly or in part, providing the decision and reasons for the decision in a notice promptly served upon the person whom made the objection [s.6.76(5)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. A delegate who has participated in any matter contributing to a decision related to the rate record, which is the subject of a Rates Record Objection, must NOT be party to any determination under this Delegation.
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>NIL</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<b>NIL</b>

Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	File Notes and Correspondence to be entered in the Shire of Corrigin Central Records system.

#### Version Control:

1	Delegations register adopted by Council 18 June 2019
2	
3	

## 1. Local Government Act 1995 Delegations

### 1.2.22 Renewal or Extension of Contracts during a State of Emergency

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.3.57 Tenders for providing goods or services <i>Local Government (Functions and General) Regulations 1996:</i> Regulation 11 'When tenders have to be publicly invited' Tender exemption under subregulation 11(2)(ja)
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authority, only to be exercised when a State of Emergency declaration is in force and applies to all or part of the District, to execute a renewal or extension to the term of a contract that will expire within 3 months, for a term of not more than 12 months from the original expiry date, without calling for tenders [F&G r.11(2)(ja)].  This authority relates to: <ul style="list-style-type: none"> <li>• contracts not formed through a public tender, where the total value of the original term and the proposed extension or renewal exceeds \$250 000, and</li> <li>• contracts formed through a public tender.</li> </ul>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. The authority to apply the renewal or extension option may be exercised where one or more of the following principles applies:                             <ol style="list-style-type: none"> <li>i. It is exercised at the sole discretion of the Local Government;</li> <li>ii. It is in the best interests of the Local Government;</li> <li>iii. It is deemed necessary to facilitate the role of Local Government in relation to the State of Emergency declaration;</li> <li>iv. It has potential to promote local and/or regional economic benefits.</li> </ol> </li> <li>b. This authority may only be exercised where the total consideration for the renewal or extension is \$250,000 or less.</li> <li>c. Contracts may only be renewed or extended where there is an adopted and available budget for the proposed goods and services, OR where the expenditure from an alternative available budget allocation has been authorised in advance by the Mayor or President (i.e. before the expense is incurred) in accordance with LGA s.6.8(1)(c).</li> <li>d. The decision to extend or renew a contract must be made in accordance with the objectives of the Purchasing Policy.</li> <li>e. This authority may only be exercised where the total consideration under the resulting contract is which is over \$250,000 or less.</li> <li>f. The CEO cannot sub-delegate this authority.</li> </ol>

# Delegation Register

Shire of Corrigin



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## 1. Local Government Act 1995 Delegations

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Compliance Links:	<a href="#">Local Government (Functions and General) Regulations 1996</a> <a href="#">WALGA Subscription Service</a> – Procurement Toolkit Council Policy Purchasing Policy 2.7
Record Keeping:	File Notes and Correspondence to be entered in the Shire of Corrigin Central Records system.

### Version Control:

1	Delegation Register adopted by Council 21 June 2022
2	
3	



# Delegation Register

Shire of Corrigin



## 1. Local Government Act 1995 Delegations

### 1.2.23 Procurement of Goods or Services required to address a State of Emergency

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.3.57 Tenders for providing goods or services <i>Local Government (Functions and General) Regulations 1996:</i> Regulation 11 'When tenders have to be publicly invited' Tender exemption under subregulation 11(2)(aa) Associated definition under subregulation 11(3)
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authority, only to be exercised when a State of Emergency declaration is in force and applies to all or part of the District, to: <ol style="list-style-type: none"> <li>1. Determine that particular goods or services with a purchasing value &gt;\$250,000 are required for the purposes of addressing the impact, consequences or need arising from the hazard to which the State of Emergency declaration relates [F&amp;G r11(3)(b)]; and</li> <li>2. Undertake tender exempt purchasing activity to obtain the supply of those goods or services identified in accordance with point 1 above [F&amp;G r.11(2)(aa)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. This authority may only be exercised where the goods or services are urgently required, and it is not possible for Council to meet within an appropriate timeframe.</li> <li>b. Compliance with the Purchasing Policy is required, but only to the extent that such compliance will not incur an unreasonable delay in providing the required urgent response to the State of Emergency hazard. The rationale for non-compliance with Purchasing Policy must be evidenced in accordance with the Record Keeping Plan.</li> <li>c. Where a relevant budget allocation is not available and a purchase is necessary in response to a State of Emergency, the expenditure from an alternative available budget allocation must be authorised in advance by the Mayor or President (i.e. before the expense is incurred) in accordance with LGA s.6.8.</li> <li>d. The CEO is to inform Council Members after the exercise of this delegation, including details of the contract specification, scope and purchasing value and the rationale for determining that the goods or services were urgently required in response to the State of Emergency declaration.</li> <li>e. The CEO cannot sub-delegate this authority.</li> </ol>



# Delegation Register

Shire of Corrigin



## 1. Local Government Act 1995 Delegations

Compliance Links:	<a href="#">Local Government (Functions and General) Regulations 1996</a> <a href="#">WALGA Subscription Service</a> – Procurement Toolkit Council Policy 2.7 Purchasing Policy <i>These powers may only be exercised when a State of Emergency Declaration (made under section 56 of the Emergency Management Act 2005) is in force and applies to all or part of the Local Government District.</i>
Record Keeping:	File Notes and Correspondence to be entered in the Shire of Corrigin Central Records system.

### Version Control:

1	Delegation Register adopted by Council 21 June 2022
2	
3	

## 1. Local Government Act 1995 Delegations

### 1.3 CEO to Employees

#### 1.3.1 Financial Management Systems and Procedures

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express Power or Duty Delegated:</b>	<i>Local Government (Financial Management) Regulations 1996:</i> r.5 CEO's Duties as to financial management
<b>Delegate/s:</b>	<b>Deputy Chief Executive Officer *</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to establish systems and procedures which give effect to internal controls and risk mitigation for the: <ol style="list-style-type: none"> <li>i. Collection of money owed to the Shire of Corrigin;</li> <li>ii. Safe custody and security of money collected or held by the Shire of Corrigin;</li> <li>iii. Maintenance and security of all financial records, including payroll, stock control and costing records;</li> <li>iv. Proper accounting of the Municipal and Trust Funds, including revenue, expenses and assets and liabilities;</li> <li>v. Proper authorisation of employees for incurring liabilities, including authority for initiating Requisition Orders, Purchase Orders and use of Credit and Transaction Cards;</li> <li>vi. Making of payments in accordance with Delegated Authority 1.2.13;</li> <li>vii. Preparation of budgets, budget reviews, accounts and reports as required by legislation or operational requirements.</li> </ol> </li> </ol>
<b>CEO Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. Procedures are to be systematically documented and retained in accordance with the Record Keeping Plan, and must include references that enable recognition of statutory requirements and assign responsibility for actions to position titles.</li> <li>b. Procedures are to be administratively reviewed for continuing compliance and confirmed as 'fit for purpose' and subsequently considered by the Audit and Risk Committee at least once each financial year. [Audit r.17]</li> </ol>
<b>Express Power to Sub-Delegate:</b>	NIL.

# Delegation Register

Shire of Corrigin



## 1. Local Government Act 1995 Delegations

Compliance Links:	Delegates are designated employees under s5.74 of the <i>Local Government Act 1995</i> and are required to provide Primary and Annual Returns  <a href="#">Local Government Act 1995</a> <a href="#">Local Government (Financial Management) Regulations 1996</a> <a href="#">Local Government (Audit) Regulations 1996</a>  Department of Local Government, Sport and Cultural Industries <a href="#">Operational Guideline No.11 – Use of Corporate Credit Cards</a>  Shire of Corrigin Register of Policies
Record Keeping:	File Notes and Correspondence to be entered in the Shire of Corrigin Central Records system.

### Version Control:

1	Delegations register adopted by Council 18 June 2019
2	Amended - Delegations register adopted by Council 16 June 2020
3	

## 1. Local Government Act 1995 Delegations

### 1.3.2 Electoral Enrolment Eligibility Claims and Electoral Roll

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.4.32(4), (5A) & (5) Eligibility to enrol under s.4.30, how to claim s.4.34 Accuracy of enrolment details to be maintained s.4.35 Decision that eligibility to enrol under s.4.30 has ended s.4.37 New roll for each election <i>Local Government (Elections) Regulations 1995:</i> r.11(1a) Nomination of co-owners or co-occupiers — s.4.31 r.13(2) & (4) Register - s.4.32(6)
<b>Delegate/s:</b>	<b>Deputy Chief Executive Officer*</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to require the written notice for co-owners or co-occupiers to be incorporated into Form 2 [r.11(1a)].</li> <li>2. Authority to decide whether or not the claimant is eligible under s.4.30(1)(a) and (b) and accept or reject the claim accordingly [s.4.32(4)].</li> <li>3. Authority to decide to accept or reject a claim made before the close of enrolments, but less than 14-days before the close of nominations [s.3.42(5A)].</li> <li>4. Authority to make any enquiries necessary in order to make a decision on an eligibility claim [s.4.32(5)].</li> <li>5. Authority to approve the omission of an elector's address from the Owners and Occupiers Register on the basis of a declaration from the elector that the publication of this information would place the elector's or their families safety at risk [Elections r.13(2)].</li> <li>6. Authority to amend the Owners and Occupiers Register from time to time to make sure that the information recorded in it is accurate [Elections r.13(4)].</li> <li>7. Authority to ensure that the information about electors that is recorded from enrolment eligibility claims is maintained in an up to date and accurate form [s.4.34].</li> <li>8. Authority to decide that a person is no longer eligible under s.4.30 to be enrolled on the Owners and Occupiers Electoral Roll [s.4.35(1)] and to give notice [s.4.35(2)] and consider submissions [s.4.35(6)], before making such determination.</li> <li>9. Authority to determine to take any action necessary to give effect to advice received from the Electoral Commissioner [s.4.35(5)].</li> <li>10. Decide, with the approval of the Electoral Commissioner, that a new electoral roll is not required for an election day which is less than 100 days since the last election day [s.4.37(3)].</li> </ol>

# Delegation Register

Shire of Corrigin



## 1. Local Government Act 1995 Delegations

<b>CEO Conditions on this Delegation:</b>	a. Decisions on enrolment eligibility are to be recorded in the Enrolment Eligibility Register in accordance with s.4.32(6) and s.4.35(7).
<b>Express Power to Sub-Delegate:</b>	Nil.

<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 of the <i>Local Government Act 1995</i> and are required to provide Primary and Annual Returns. Department of Local Government, Sport and Cultural Industries: <a href="#">Returning Officer Manual</a>
<b>Record Keeping:</b>	File Notes and Correspondence to be entered in the Shire of Corrigin Central Records system.

### Version Control:

1	Delegation Register adopted by Council 21 June 2022
2	
3	

# Delegation Register

Shire of Corrigin



## 1. Local Government Act 1995 Delegations

### 1.3.3 Destruction of Electoral Papers

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express Power or Duty Delegated:</b>	<i>Local Government (Elections) Regulations 1996:</i> r.82(4) Keeping election papers – s4.84(a)
<b>Delegate/s:</b>	<b>Deputy Chief Executive Officer*</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to, after a period of 4-years, destroy the parcels of election papers in the presence of at least 2 other employees [Elect. r.82(4)].
<b>CEO Conditions on this Delegation:</b>	Nil.
<b>Express Power to Sub-Delegate:</b>	Nil.

<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 of the <i>Local Government Act 1995</i> and are required to provide Primary and Annual Returns.  Department of Local Government, Sport and Cultural Industries: <a href="#">Returning Officer Manual</a>
<b>Record Keeping:</b>	File Notes and Correspondence to be entered in the Shire of Corrigin Central Records system.

#### Version Control:

1	Delegation Register adopted by Council 21 June 2022
2	
3	

## 1. Local Government Act 1995 Delegations

### 1.3.4 Information to be Available to the Public

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express Power or Duty Delegated:</b>	<i>Local Government (Administration) Regulations 1996:</i> r.29(2) &(3) Information to be available for public inspection (Acts s.5.94) r.29B Copies of certain information not to be provided (Act s.5.96) <i>Local Government Act 1995:</i> s.9.95(1)(b) & (3)(b) Limits on right to inspect local government information
<b>Delegate/s:</b>	<b>Deputy Chief Executive Officer*</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to determine the public right to inspect information, by determining if the information requested relates to a part of a meeting that could have been closed to members of the public but was not [Admin. r.29(2)].</li> <li>2. Authority to determine the public right to inspect information in an agenda or minutes, by determining if the information requested would be part of the meeting which is likely to be closed to members of the public [Admin. r.29(3)].</li> <li>3. Authority to determine the manner and form by which a person may request copies of rates record information [s.5.94(m)] or owners and occupiers register and electoral rolls [s5.94(s)] and to make the information available, if satisfied, by statutory declaration or otherwise, that the information will not be used for commercial purposes [Admin r.29B].</li> <li>4. Authority to determine not to provide a right to inspect information, where it is considered that in doing so would divert a substantial and unreasonable portion of the local government's resources away from its other functions [s5.95(1)(b)].</li> <li>5. Authority to determine not to provide a right to inspect information contained in notice papers, agenda, minutes, or information tabled at a meeting, where it is considered that that part of the meeting could have been closed to members of the public but was not closed [s.5.94(3)(b)].</li> </ol>
<b>CEO Conditions on this Delegation:</b>	Nil.
<b>Express Power to Sub-Delegate:</b>	Nil.

# Delegation Register

Shire of Corrigin



## 1. Local Government Act 1995 Delegations

Compliance Links:	Delegates are designated employees under s.5.74 of the <i>Local Government Act 1995</i> and are required to provide Primary and Annual Returns.
Record Keeping:	File Notes and Correspondence to be entered in the Shire of Corrigin Central Records system.

### Version Control:

1	Delegation Register adopted by Council 21 June 2022
2	
3	



**2. Building Act 2011 Delegations**

**2 Building Act 2011 Delegations**

**2.1 Council to CEO / Employees**

**2.1.1 Grant a Building Permit**

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Act 2011:</i> s.18 Further Information s.20 Grant of building permit s.22 Further grounds for not granting an application s.27(1) and (3) Impose Conditions on Permit  <i>Building Regulations 2012:</i> r.23 Application to extend time during which permit has effect (s.32) r.24 Extension of time during which permit has effect (s.32(3)) r.26 Approval of new responsible person (s.35(c))
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to require an applicant to provide any documentation or information required to determine a building permit application [s.18(1)].</li> <li>2. Authority to grant or refuse to grant a building permit [s.20(1) &amp; (2) and s.22].</li> <li>3. Authority to impose, vary or revoke conditions on a building permit [s.27(1) and(3)].</li> <li>4. Authority to determine an application to extend time during which a building permit has effect [r.23].             <ol style="list-style-type: none"> <li>i. Subject to being satisfied that work for which the building permit was granted has not been completed OR the extension is necessary to allow rectification of defects of works for which the permit was granted [r.24(1)]</li> <li>ii. Authority to impose any condition on the building permit extension that could have been imposed under s.27 [r.24(2)].</li> </ol> </li> <li>5. Authority to approve, or refuse to approve, an application for a new responsible person for a building permit [r.26].</li> </ol>
<b>Council Conditions on this Delegation:</b>	NIL

# Delegation Register

Shire of Corrigin



## 2. Building Act 2011 Delegations

<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
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<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	NIL
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	NIL

<b>Compliance Links:</b>	<p><a href="#">Building Act 2011</a> s.119 Building and demolition permits – application for review by SAT s.23 Time for deciding application for building or demolition permit s.17 Uncertified application to be considered by building surveyor</p> <p><a href="#">Building Regulations 2012</a> – r.25 Review of decision to refuse to extend time during which permit has effect (s.32(3)) – reviewable by SAT</p> <p><i>Building Services (Registration Act) 2011 – Section 7</i> <i>Home Building Contracts Act 1991 – Part 3A, Division 2 – Part 7, Division 2</i> <i>Building and Construction Industry Training Levy Act 1990</i> <i>Heritage Act 2018</i></p>
<b>Record Keeping:</b>	Signed Building Permits to be entered into the Shire of Corrigin Central Records system.

### Version Control:

1	Delegations register adopted by Council 18 June 2019
2	Amended. Delegations register adopted by Council 21 June 2022
3	

**2. Building Act 2011 Delegations**

**2.1.2 Demolition Permits**

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Act 2011:</i> s.18 Further Information s.21 Grant of demolition permit s.22 Further grounds for not granting an application s.27(1) and (3) Impose Conditions on Permit  <i>Building Regulations 2012</i> r.23 Application to extend time during which permit has effect (s.32) r.24 Extension of time during which permit has effect (s.32(3)) r.26 Approval of new responsible person (s.35(c))
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to require an applicant to provide any documentation or information required to determine a demolition permit application [s.18(1)].</li> <li>2. Authority to grant or refuse to grant a demolition permit on the basis that all s.21(1) requirements have been satisfied [s.20(1) &amp; (2) and s.22].</li> <li>3. Authority to impose, vary or revoke conditions on a demolition permit [s.27(1) and (3)].</li> <li>4. Authority to determine an application to extend time during which a demolition permit has effect [r.23].             <ol style="list-style-type: none"> <li>i. Subject to being satisfied that work for which the demolition permit was granted has not been completed OR the extension is necessary to allow rectification of defects of works for which the permit was granted [r.24(1)]</li> <li>ii. Authority to impose any condition on the demolition permit extension that could have been imposed under s.27 [r.24(2)].</li> </ol> </li> <li>5. Authority to approve, or refuse to approve, an application for a new responsible person for a demolition permit [r.26].</li> </ol>
<b>Council Conditions on this Delegation:</b>	NIL
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

# Delegation Register

Shire of Corrigin



## 2. Building Act 2011 Delegations

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	NIL
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	NIL

<b>Compliance Links:</b>	<a href="#"><u>Building Act 2011</u></a> s.119 Building and demolition permits – application for review by SAT s.23 Time for deciding application for building or demolition permit <i>Building Services (Complaint Resolution and Administration) Act 2011 – Part 7, Division 2</i> <i>Building and Construction Industry Training Levy Act 1990</i> <i>Heritage Act 2018</i>
<b>Record Keeping:</b>	Signed Demolition Permits to be entered into the Shire of Corrigin Central Records system.

### Version Control:

1	Delegations register adopted by Council 18 June 2019
2	Amended. Delegations register adopted by Council 21 June 2022
3	

## 2. Building Act 2011 Delegations

### 2.1.3 Occupancy Permits or Building Approval Certificates

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Act 2011:</i> s.55 Further information s.58 Grant of occupancy permit, building approval certificate s.62(1) and (3) Conditions imposed by permit authority s.65(4) Extension of period of duration  <i>Building Regulations 2012</i> r.40 Extension of period of duration of time limited occupancy permit or building approval certificate (s.65)
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to require an applicant to provide any documentation or information required in order to determine an application [s.55].</li> <li>2. Authority to grant, refuse to grant or to modify an occupancy permit or building approval certificate [s.58].</li> <li>3. Authority to impose, add, vary or revoke conditions on an occupancy permit [s.62(1) and (3)].</li> <li>4. Authority to extend, or refuse to extend, the period in which an occupancy permit or modification or building approval certificate has effect [s.65(4) and r.40].</li> </ol>
<b>Council Conditions on this Delegation:</b>	NIL
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>NIL</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	NIL

<b>Compliance Links:</b>	<a href="#">Building Act 2011</a> s.59 time for granting occupancy permit or building approval certificate s.60 Notice of decision not to grant occupancy permit or grant building approval certificate s.121 Occupancy permits and building approval certificates – application for review by SAT
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**2. Building Act 2011 Delegations**

	<p><i>Building Services (Complaint Resolution and Administration) Act 2011 – Part 7, Division 2</i></p> <p><i>Building and Construction Industry Training Levy Act 1990</i></p> <p><i>Heritage Act 2018</i></p>
Record Keeping:	Signed Occupancy Permits or Building Approval Certificates to be entered into the Shire of Corrigin Central Records system.

**Version Control:**

1	Delegations register adopted by Council 18 June 2019
2	Amended. Delegations register adopted by Council 21 June 2022
3	

**2. Building Act 2011 Delegations**

**2.1.4 Designate Employees as Authorised Persons**

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Act 2011:</i> s.96(3) authorised persons s.99(3) Limitation on powers of authorised person
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to designate an employee as an authorised person [s.96(3)].</li> <li>2. Authority to revoke or vary a condition of designation as an authorised person or give written notice to an authorised person limiting powers that may be exercised by that person [s.99(3)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. Decisions under this delegated authority should be in accordance with r.5 of the Building Regulations 2012.
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	NIL
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	NIL

<b>Compliance Links:</b>	<a href="#"><i>Building Act 2011:</i></a> s.97 requires each person designated as an authorised person must have an identity card. r.5A Authorised persons (s.3) – definition
<b>Record Keeping:</b>	Letters of Authorisation to be entered into the Shire of Corrigin Central Records system.

**Version Control:**

1	Delegations register adopted by Council 18 June 2019
2	
3	

**2. Building Act 2011 Delegations**

**2.1.5 Building Orders**

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Act 2011:</i> s.110(1) A permit authority may make a building order s.111(1) Notice of proposed building order other than building order (emergency) s.117(1) and (2) A permit authority may revoke a building order or notify that it remains in effect s.118(2) and (3) Permit authority may give effect to building order if non-compliance s.133(1) A permit authority may commence a prosecution for an offence against this Act
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to make Building Orders in relation to: <ol style="list-style-type: none"> <li>a. Building work</li> <li>b. Demolition work</li> <li>c. An existing building or incidental structure [s.110(1)].</li> </ol> </li> <li>2. Authority to give notice of a proposed building order and consider submissions received in response and determine actions [s.111(1)(c)].</li> <li>3. Authority to revoke a building order [s.117].</li> <li>4. If there is non-compliance with a building order, authority to cause an authorised person to: <ol style="list-style-type: none"> <li>a. take any action specified in the order ; or</li> <li>b. commence or complete any work specified in the order; or</li> <li>c. if any specified action was required by the order to cease, to take such steps as are reasonable to cause the action to cease [s.118(2)].</li> </ol> </li> <li>5. Authority to take court action to recover as a debt, reasonable costs and expense incurred in doing anything in regard to non-compliance with a building order [s.118(3)].</li> <li>6. Authority to initiate a prosecution pursuant to section 133(1) for non-compliance with a building order made pursuant to section 110 of the <i>Building Act 2011</i>.</li> </ol>
<b>Council Conditions on this Delegation:</b>	NIL
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)



# Delegation Register

Shire of Corrigin



## 2. Building Act 2011 Delegations

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	NIL
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	NIL

Compliance Links:	<a href="#">Building Act 2011:</a> Section 111 Notice of proposed building order other than building order (emergency) Section 112 Content of building order Section 113 Limitation on effect of building order Section 114 Service of building order Part 9 Review - s.122 Building orders – application for review by SAT
Record Keeping:	Signed Building Orders to be entered into the Shire of Corrigin Central Records system.

### Version Control:

1	Delegations register adopted by Council 18 June 2019
2	
3	

# Delegation Register

Shire of Corrigin



## 2. Building Act 2011 Delegations

### 2.1.6 Inspection and Copies of Building Records

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Act 2011:</i> s.131(2) Inspection, copies of building records
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to determine an application from an interested person to inspect and copy a building record [s.131(2)].
<b>Council Conditions on this Delegation:</b>	NIL
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>NIL</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	NIL

Compliance Links:	<a href="#">Building Act 2011</a> - s.146 Confidentiality
Record Keeping:	File Note to be placed in Central Records system on property file.

#### Version Control:

1	Delegations register adopted by Council 18 June 2019
2	
3	

# Delegation Register

Shire of Corrigin



## 2. Building Act 2011 Delegations

### 2.1.7 Referrals and Issuing Certificates

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Act 2011:</i> s.145A Local Government functions
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to refer uncertified applications under s.17(1) to a building surveyor who is not employed by the local government [s.145A(1)].</li> <li>2. Authority to issue a certificate for Design Compliance, Construction Compliance or Building Compliance whether or not the land subject of the application is located in the Shire of Corrigin's District [s.145A(2)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	NIL
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>NIL</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	NIL

Compliance Links:	NIL
Record Keeping:	Copies of all Referrals and Issued Certificates to be entered into the Shire of Corrigin Central Records system

#### Version Control:

1	Delegations register adopted by Council 18 June 2019
2	
3	

## 2. Building Act 2011 Delegations

### 2.1.8 Private Pool Barrier – Alternative and Performance Solutions

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Regulations 2012:</i> r.51 Approvals by permit authority
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to approve requirements alternative to a fence, wall, gate or other component included in the barrier, if satisfied that the alternative requirements will restrict access by young children as effectively as if there were compliance with AS 1926.1 [r.51(2)]</li> <li>2. Authority to approve a door for the purposes of compliance with AS 1926.1, where a fence or barrier would cause significant structural or other problem which is beyond the control of the owner / occupier or the pool is totally enclosed by a building or a fence or barrier between the building and pool would create a significant access problem for a person with a disability [r.51(3)]</li> <li>3. Authority to approve a performance solution to a Building Code pool barrier requirement if satisfied that the performance solution complies with the relevant performance requirement [r.51(5)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	NIL
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Environmental Health Officers</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	NIL

Compliance Links:	<i>Shire of Corrigin Local Laws relating to Fencing</i>
Record Keeping:	Signed letters, inspection records and notices to be entered into the Shire of Corrigin Central Records system

#### Version Control:

1	Delegations register adopted by Council 18 June 2019
2	Amended – Delegations Register adopted by Council 21 June 2022
3	

# Delegation Register

Shire of Corrigin



## 2. Building Act 2011 Delegations

### 2.1.9 Smoke Alarms – Alternative Solutions

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Regulations 2012:</i> r.55 Terms Used (alternative building solution approval) r.61 Local Government approval of battery powered smoke alarms
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to approve alternative building solutions which meet the performance requirement of the Building Code relating to fire detection and early warning [r.55].</li> <li>2. Authority to approve or refuse to approve a battery powered smoke alarm and to determine the form of an application for such approval [r.61].</li> </ol>
<b>Council Conditions on this Delegation:</b>	NIL
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Environmental Health Officers</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	NIL

Compliance Links:	NIL
Record Keeping:	Signed letters, inspection records and other documents to be entered into the Shire of Corrigin Central Records system

#### Version Control:

1	Delegations register adopted by Council 18 June 2019
2	Amended – Delegations Register adopted by Council 21 June 2022
3	

# Delegation Register

Shire of Corrigin



## 2. Building Act 2011 Delegations

### 2.1.10 Appointment of approved officers and authorised officers

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Regulations 2012:</i> r.70 Approved officers and authorised officers
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<p>1. Authority to appoint an approved officer for the purposes of s.6(a) of the <i>Criminal Procedure Act 2004</i>, in accordance with Building Regulation 70(1) and (1A).</p> <p><i>NOTE: Only employees delegated under s 5.44(1) of the Local Government Act 1995 with power under s 9.19 or 9.20 may be appointed as “approved officers”.</i></p> <p>2. Authority to appoint an authorised officer for the purposes of s.6(b) of the <i>Criminal Procedure Act 2004</i>, in accordance with Building Regulation 70(2).</p> <p><i>NOTE: Only employees appointed under s 9.10 of the Local Government Act 1995 and authorised for the purpose of performing functions under s 9.16 of that Act may be appointed as “authorised officers” for the purposes of Building Regulation 70(2).</i></p>
<b>Council Conditions on this Delegation:</b>	NIL
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>NIL</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	NIL

<b>Compliance Links:</b>	<i>Building Regulations 2012:</i> r 70(3) each authorised officer must be issued a certificate of appointment.
<b>Record Keeping:</b>	Letters of Authorisation to be entered into the Shire of Corrigin Central Records system.

#### Version Control:

1	Delegations register adopted by Council 21 June 2022
2	
3	

## 3. Bush Fires Act 1954 Delegations

### 3 Bush Fires Act 1954 Delegations

#### 3.1 Council to CEO, President and Bush Fire Control Officer

##### 3.1.1 Make Request to FES Commissioner – Control of Fire

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> s.13(4) Duties and powers of bush fire liaison officers
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to request on behalf of the Shire that the FES Commissioner authorise the Bush Fire Liaison Officer or another person to take control of fire operations [s.13(4)].
<b>Council Conditions on this Delegation:</b>	NIL
<b>Express Power to Sub-Delegate:</b>	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>

Compliance Links:	NIL
Record Keeping:	File Note to be entered into the Shire of Corrigin Central Records System.

##### Version Control:

1	Delegations register adopted by Council 18 June 2019
2	
3	

# Delegation Register

Shire of Corrigin



## 3. Bush Fires Act 1954 Delegations

### 3.1.2 Prohibited Burning Times - Vary

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> s.17(7) Prohibited burning times may be declared by Minister <i>Bush Fire Regulations 1954:</i> r.15 Permit to burn (Act s.18), form of and apply for after refusal etc. r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times r.39B Crop dusters etc., use of in restricted or prohibited burning times
<b>Delegate:</b>	<b>President and Chief Bush Fire Control Officer (jointly)</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority, where seasonal conditions warrant it, to determine a variation of the prohibited burning times, after consultation with an authorised CALM Act officer if forest land is situated in the district [s.17(7)].
<b>Council Conditions on this Delegation:</b>	a. Decisions under s,17(7) must be undertaken jointly by both the President and the Chief Bush Fire Control Officer and must comply with the procedural requirements of s.17(7B) and (8).
<b>Express Power to Sub-Delegate:</b>	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>

<b>Compliance Links:</b>	Shire of Corrigin Register of Policies - Policy 9.3 Bushfire Control
<b>Record Keeping:</b>	Notices of variations to be entered into the Shire of Corrigin Central Records system.

#### Version Control:

1	Delegations register adopted by Council 18 June 2019
2	Amended – Delegation Register adopted by Council 21 June 2022
3	



**3. Bush Fires Act 1954 Delegations**

**3.1.3 Prohibited Burning Times – Control Activities**

<p><b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i></p>	<p>Local Government</p>
<p><b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i></p>	<p><i>Bush Fires Act 1954:</i> s.48 Delegation by local government</p>
<p><b>Express Power or Duty Delegated:</b></p>	<p><i>Bush Fires Act 1954:</i> s.27(2) and (3) Prohibition on use of tractors or engines except under certain conditions s.28(4) and (5) Occupier of land to extinguish bush fire occurring on own land <i>Bush Fire Regulations 1954:</i> r.15 Permit to burn (Act s.18), form of and apply for after refusal etc. r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times r.39B Crop dusters etc., use of in restricted or prohibited burning times</p>
<p><b>Delegate:</b></p>	<p><b>Chief Executive Officer</b></p>
<p><b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i></p>	<ol style="list-style-type: none"> <li>1. Authority to determine permits to burn during prohibited burning times that have previously been refused by a Bush Fire Control Officer [r.15].</li> <li>2. Authority to declare that the use of any harvesting machinery on any land under crop during the whole or any part of any Sunday or public holiday in the whole or a specified part of the District during Restricted Burning Times is prohibited, unless written consent of a Bush Fire Control Officer is obtained [r.38C].</li> <li>3. Authority to determine, during a Prohibited Burning Time, if a firebreak around a landing ground for an aeroplane has been satisfactorily prepared [r.39B(2)].</li> <li>4. Authority to issue directions, during a Prohibited Burning Time, to a Bush Fire Control Officer, regarding matters necessary for the prevention of fire on land used as a landing ground for an aeroplane [r.39B(3)].</li> <li>5. Authority to prohibit the use of tractors, engines or self-propelled harvester, during a Prohibited Burning Times, and to give permission for use of same during the Restricted Burning Time subject to compliance with requirements specified in a notice [s.27(2) and (3)].</li> <li>6. Authority to recover the cost of measures taken by the Shire of Corrigin or Bush Fire Control Officer, to extinguish a fire burning during Prohibited Burning Times, where the occupier of the land has failed to comply with requirements under s.28(1) to take all possible measures to extinguish a fire the land they occupy [s.28(4)], including authority to recover expenses in any court of competent jurisdiction [s.28(5)].</li> </ol>

# Delegation Register

Shire of Corrigin



## 3. Bush Fires Act 1954 Delegations

<b>Council Conditions on this Delegation:</b>	a. Decisions under s,17(7) must be undertaken jointly by both the President and the Chief Bush Fire Control Officer and must comply with the procedural requirements of s.17(7B) and (8).
<b>Express Power to Sub-Delegate:</b>	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>

<b>Compliance Links:</b>	Shire of Corrigin Register of Policies - Policy 9.3 Bushfire Control
<b>Record Keeping:</b>	File Note, notices or records of decisions to be entered in to the Shire of Corrigin Central Records System.

### Version Control:

1	Delegations register adopted by Council 18 June 2019
2	Amended – Delegation Register adopted by Council 21 June 2022
3	

**3. Bush Fires Act 1954 Delegations**

**3.1.4 Restricted Burning Times – Vary and Control Activities**

<p><b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i></p>	<p>Local Government</p>
<p><b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i></p>	<p><i>Bush Fires Act 1954:</i> s.48 Delegation by local government</p>
<p><b>Express Power or Duty Delegated:</b></p>	<p><i>Bush Fires Act 1954:</i> s.18(5), (11) Restricted burning times may be declared by FES Commissioner s.22(6) and (7) Burning on exempt land and land adjoining exempt land s.27(2) and (3) Prohibition on use of tractors or engines except under certain conditions s.28(4) and (5) Occupier of land to extinguish bush fire occurring on own land <i>Bush Fire Regulations 1954:</i> r.15 Permit to burn (Act s.18), form of and apply for after refusal etc. r.15C Local Government may prohibit burning on certain days r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times r.39B Crop dusters etc., use of in restricted or prohibited burning times</p>
<p><b>Delegate:</b></p>	<p><b>Chief Executive Officer</b></p>
<p><b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i></p>	<ol style="list-style-type: none"> <li>1. Authority, where seasonal conditions warrant it and after consultation with an authorised CALM Act officer, to determine to vary the restricted burning times in respect of that year [s.18(5)].             <ol style="list-style-type: none"> <li>a. Authority to determine to prohibit burning on Sundays or specified days that are public holidays in the District [r.15C].</li> </ol> </li> <li>2. Authority, where a permitted burn fire escapes or is out of control in the opinion of the Bush Fire Control Officer or an officer of the Bush Fire Brigade, to determine to recoup bush fire brigade expenses arising from preventing extension of or extinguishing an out of control permitted burn [s.18(11)].</li> <li>3. Authority to determine permits to burn during restricted times that have previously been refused by a Bush Fire Control Officer [r.15].</li> <li>4. Authority to arrange with the occupier of exempt land, the occupier of land adjoining it and the Bush Fire Brigade to cooperate in burning fire-breaks and require the occupier of adjoining land to provide by the date of the burning, ploughed or cleared fire-breaks parallel to the common boundary [s.22(6) and (7)].</li> <li>5. Authority to declare that the use of any harvesting machinery on any land under crop during the whole or any part of any Sunday or public holiday in the whole or a specified part of the District during Restricted Burning Times is prohibited, unless written consent of a Bush Fire Control Officer is obtained [r.38C].</li> <li>6. Authority to determine, during a Restricted Burning Time, if a firebreak around a landing ground for an aeroplane has been satisfactorily prepared [r.39B].</li> </ol>

### 3. Bush Fires Act 1954 Delegations

	<p>7. Authority to issue directions, during a Restricted Burning Time, to a Bush Fire Control Officer, regarding matters necessary for the prevention of fire on land used as a landing ground for an aeroplane [r.39B(3)].</p> <p>8. Authority to prohibit the use of tractors, engines or self-propelled harvester, during a Restricted Burning Times, and to give permission for use of same during the Restricted Burning Time subject to compliance with requirements specified in a notice s.27(3).</p> <p>9. Authority to recover the cost of measures taken by the Shire of Corrigin or Bush Fire Control Officer, to extinguish a fire burning during Restricted Burning Times, where the occupier of the land has failed to comply with requirements under s.28(1) to take all possible measures to extinguish a fire the land they occupy [s.28(4)], including authority to recover expenses in any court of competent jurisdiction [s.28(5)].</p>
<b>Council Conditions on this Delegation:</b>	NIL
<b>Express Power to Sub-Delegate:</b>	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>

<b>Compliance Links:</b>	Shire of Corrigin Register of Policies - Policy 9.3 Bushfire Control
<b>Record Keeping:</b>	File Note, notices or records of decisions to be entered into the Shire of Corrigin Central Records System.

**Version Control:**

1	Delegations register adopted by Council 18 June 2019
2	Amended – Delegation Register adopted by Council 21 June 2022
3	

## 3. Bush Fires Act 1954 Delegations

### 3.1.5 Control of Operations Likely to Create Bush Fire Danger

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> s.27D Requirements for carriage and deposit of incendiary material <i>Bush Fires Regulations 1954:</i> r.39C Welding and cutting apparatus, use of in open air r.39CA Bee smoker devices, use of in restricted or prohibited burning times etc. r.39D Explosives, use of r.39E Fireworks, use of
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to give directions to a Bush Fire Control Officer regarding matters necessary for the prevention of fire arising from: <ol style="list-style-type: none"> <li>a. a person operating a bee smoker device during a prescribed period [r.39CA(5)].</li> <li>b. a person operating welding apparatus, a power operated abrasive cutting disc [r.39C(3)].</li> <li>c. a person using explosives [r.39D(2)].</li> <li>d. a person using fireworks [r.39E(3)]</li> </ol> </li> <li>2. Authority to determine directions or requirements for the carriage and deposit of incendiary materials (hot or burning ash, cinders, hot furnace refuse, or any combustible matter that is burning) [s.27D]. <i>Note: this authority is also prescribed to a Bush Fire Control Officer, a Bush Fire Liaison Officer or an authorised CALM Act officer.</i></li> </ol>
<b>Council Conditions on this Delegation:</b>	NIL
<b>Express Power to Sub-Delegate:</b>	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>

Compliance Links:	NIL
Record Keeping:	File Note, notices or records of decisions to be entered into the Shire of Corrigin Central Records System.

#### Version Control:

1	Delegations register adopted by Council 18 June 2019
2	
3	

**3. Bush Fires Act 1954 Delegations**

**3.1.6 Burning Garden Refuse / Open Air Fires**

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> s.24F Burning garden refuse during limited burning times s.24G Minister or local government may further restrict burning of garden refuse s.25 No fire to be lit in open air unless certain precautions taken s.25A Power of Minister to exempt from provisions of section 25  <i>Bush Fires Regulations 1954:</i> r.27(3) Permit, issue of
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to give written permission, during prohibited times and restricted times, for an incinerator located within 2m of a building or fence, only where satisfied it is not likely to create a fire hazard [s.24F(2)(b)(ii) and (4)].</li> <li>2. Authority to prohibit or impose restrictions on the burning of garden refuse that is otherwise permitted under s.24F [s.24G(2)]. <ol style="list-style-type: none"> <li>a. Authority to issue directions to an authorised officer as to the manner in which or the conditions under which permits to burn plants or plant refuse shall be issued in the District [r.27(3) and r.33(5)].</li> <li>b. Authority to prohibit (object to) the issuing of a permit for the burning of a proclaimed plan growing upon any land within the District [r.34].</li> </ol> </li> <li>3. Authority to provide written approval, during prohibited times and restricted times, for fires to be lit for the purposes of: <ol style="list-style-type: none"> <li>a. camping or cooking [s.25(1)(a)].</li> <li>b. conversion of bush into charcoal or for the production of lime, in consultation with an authorised CALM Act officer [s.25(1)(b)].</li> </ol> </li> <li>4. Authority to prohibit the lighting of fires in the open air for the purposes of camping or cooking for such period during the prohibited burning times as specified in a note published in the Gazette and newspaper circulating in the District and authority to vary such notice [s.25(1a) and (1b)].</li> <li>5. Authority to serve written notice on a person to whom an exemption has been given under s.25 for lighting a fire in open air, prohibiting that person from lighting a fire and to determine conditions on the notice [s.25A(5)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	NIL

# Delegation Register

Shire of Corrigin



## 3. Bush Fires Act 1954 Delegations

<b>Express Power to Sub-Delegate:</b>	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>
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<b>Compliance Links:</b>	NIL
<b>Record Keeping:</b>	File Note, notices or records of decisions to be entered into the Shire of Corrigin Central Records System.

### Version Control:

1	Delegations register adopted by Council 18 June 2019
2	
3	

## 3. Bush Fires Act 1954 Delegations

### 3.1.7 Firebreaks

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> s.33 Local government may require occupier of land to plough or clear fire-breaks
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to give written notice to an owner or occupier of land or all owners or occupiers of land within the District, requiring, to the satisfaction of the Shire: <ol style="list-style-type: none"> <li>a. clearing of firebreaks as determined necessary and specified in the notice; and</li> <li>b. act in respect to anything which is on the land and is or is likely to be conducive to the outbreak of a bush fire or the spread or extension of a bush fire; and</li> <li>c. as a separate or coordinated action with any other person carry out similar actions [s.33(1)].</li> </ol> </li> <li>2. Authority to direct a Bush Fire Control Officer or any other employee to enter onto the land of an owner or occupier to carry out the requisitions of the notice which have not been complied with [s.33(4)]. <ol style="list-style-type: none"> <li>a. Authority to recover any costs and expenses incurred in doing the acts, matters or things required to carry out the requisitions of the notice [s.33(5)].</li> </ol> </li> </ol>
<b>Council Conditions on this Delegation:</b>	NIL
<b>Express Power to Sub-Delegate:</b>	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>

<b>Compliance Links:</b>	Shire of Corrigin Register of Policies - Policy 9.1 Roadside Burning and Spraying
<b>Record Keeping:</b>	File Note, notices or records of decisions to be entered into the Shire of Corrigin Central Records System.

#### Version Control:

1	Delegations register adopted by Council 18 June 2019
2	
3	



# Delegation Register

Shire of Corrigin



## 3. Bush Fires Act 1954 Delegations

### 3.1.8 Appoint Bush Fire Control Officer/s and Fire Weather Officer

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> s.38 Local Government may appoint bush fire control officer
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to appoint persons to be Bush Fire Control Officers for the purposes of the Bush Fires Act 1954; and</li> <li>2. Authority to issue directions to a Bush Fire Control Officer to burn on or at the margins of a road reserve under the care, control and management of the Shire of Corrigin [s.38(5A)]</li> <li>3. Authority to appoint a Fire Weather Officer, selected from Bush Fire Control Officers previously appointed and where more than one Fire Weather Officer is appointed, define a part of the District in which each Fire Weather Officer shall have exclusive right to exercise the powers of s.38(17). [s.38(8) and (9)].             <ol style="list-style-type: none"> <li>a. Authority to appoint deputy Fire Weather Officer/s as considered necessary and where two or more deputies are appointed, determine seniority [s.38(10)].</li> </ol> </li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. The delegation is limited to the appointment of members of volunteer bush fire brigades, Shire Rangers and Emergency Services Staff.</li> <li>b. In the case of appointment of members of volunteer bush fire brigades, the delegation shall only be exercised where there is a recommendation to appoint from the Bush Fire Advisory Committee; and</li> <li>c. The delegation does not extend to the appointment of Chief or Deputy Chief Bush Fire Control Officers.</li> </ol>
<b>Express Power to Sub-Delegate:</b>	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>

Compliance Links:	Shire of Corrigin Register of Policies - Policy 9.2 Bush Fire Control Officer – Eligibility
Record Keeping:	Letters of Appointment to be entered in to the Shire of Corrigin Central Records system.

#### Version Control:

1	Delegations register adopted by Council 18 June 2019
2	
3	

# Delegation Register

Shire of Corrigin



## 3. Bush Fires Act 1954 Delegations

### 3.1.9 Control and Extinguishment of Bush Fires

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> s.46 Bush fire control officer or forest officer may postpone lighting fire
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to prohibit or postpone the lighting of a fire, despite a permit having been issued, where in the opinion of the Delegate the lighting of a fire would be or become a source of danger by escaping from the land on which it is proposed to be lit [s.46(1A)].             <ol style="list-style-type: none"> <li>a. Where it is proposed that the fire will be lit on land within 3kms of the boundary of forest land, and an authorised CALM Act office is not available or has not exercised the power to prohibit or proposed a fire considered to become a source of danger, then the Delegate may make the decision [s.46(1B)].</li> </ol> </li> </ol>
<b>Council Conditions on this Delegation:</b>	NIL
<b>Express Power to Sub-Delegate:</b>	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>

<b>Compliance Links:</b>	NIL
<b>Record Keeping:</b>	File Note, notices or records of decisions to be entered into the Shire of Corrigin Central Records System.

#### Version Control:

1	Delegations register adopted by Council 18 June 2019
2	
3	

# Delegation Register

Shire of Corrigin



## 3. Bush Fires Act 1954 Delegations

### 3.1.10 Recovery of Expenses Incurred through Contraventions of this Act

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> s.58 General penalty and recovery of expenses incurred
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to recover expenses incurred as a result of an offence against the Bush Fires Act, being expenses incurred through the fulfilment of a duty or doing anything for which the Act empowered or required the Shire of Corrigin or those on behalf of the Shire of Corrigin to do [s.58].
<b>Council Conditions on this Delegation:</b>	NIL
<b>Express Power to Sub-Delegate:</b>	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>

<b>Compliance Links:</b>	NIL
<b>Record Keeping:</b>	File Note, Infringement notices or records of decisions to be entered into the Shire of Corrigin Central Records System.

#### Version Control:

1	Delegations register adopted by Council 18 June 2019
2	
3	

# Delegation Register

Shire of Corrigin



## 3. Bush Fires Act 1954 Delegations

### 3.1.11 Prosecution of Offences

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> s.59 Prosecution of offences s.59A(2) Alternative procedure – infringement notices
<b>Delegate:</b>	<b>Bush Fire Control Officer</b> <b>Chief Executive Officer</b> <b>Shire Ranger (This delegation can only be enacted by a Shire Employee and not a contractor)</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to institute and carry on proceedings against a person for an offence alleged to be committed against this Act [s.59]. 2. Authority to serve an infringement notice for an offence against this Act [s.59A(2)].
<b>Council Conditions on this Delegation:</b>	NIL
<b>Express Power to Sub-Delegate:</b>	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>

<b>Compliance Links:</b>	<i>Bush Fires Act 1954:</i> s.65 Proof of certain matters s.66 Proof of ownership or occupancy
<b>Record Keeping:</b>	File Note, Infringement notices or records of decisions to be entered into the Shire of Corrigin Central Records System.

#### Version Control:

1	Delegations register adopted by Council 18 June 2019
2	Amended – Delegations Register adopted by Council 21 June 2022
3	

**4. Cat Act 2011 Delegations**

**4 Cat Act 2011 Delegations**

**4.1 Council to CEO**

**4.1.1 Cat Registrations**

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Cat Act 2011:</i> s.44 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Cat Act 2011:</i> s.9 Registration s.10 Cancellation of registration s.11 Registration numbers, certificates and tags <i>Cat Regulations 2012</i> Schedule 3, cl.1(4) Fees Payable
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to grant, or refuse to grant, a cat registration or renewal of a cat registration [s.9(1)].</li> <li>2. Authority to refuse to consider an application for registration or renewal where an applicant does not comply with a requirement to give any document or information required to determine the application [s.9(6)].</li> <li>3. Authority to cancel a cat registration [s.10].</li> <li>4. Authority to give the cat owner a new registration certificate or tag, if satisfied that the original has been stolen, lost, damaged or destroyed [s.11(2)].</li> <li>5. Authority to reduce or waive a registration or approval to breed fee, in respect of any individual cat or any class of cats within the Shire of Corrigin's District [Regs. Sch. 3 cl.1(4)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the <i>Cat Act 2011</i> .
<b>Express Power to Sub-Delegate:</b>	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Deputy CEO</b> <b>Customer Service Officers</b> <b>Administration Officers</b> <b>Finance Officers</b> <b>Shire Rangers (This delegation can only be enacted by a Shire Employee not a contractor.)</b>
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# Delegation Register

Shire of Corrigin



## 4. Cat Act 2011 Delegations

<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	This delegation is limited to Function 1 to 4 of this delegation.
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Compliance Links:	<p>Cat Regulations 2012</p> <ul style="list-style-type: none"> <li>r.11 Application for registration (s.8(2)), prescribes the Form of applications for registration.</li> <li>r.12 Period of registration (s.9(7))</li> <li>r.11 Changes in registration</li> <li>r.14 Registration certificate (s.11(1)(b))</li> <li>r.15 Registration tags (s.76(2))</li> </ul> <p>Decisions are subject to Objection and Review by the State Administration Tribunal rights – refer Part 4, Division 5 of the <i>Cat Act 2011</i>.</p>
Record Keeping:	Registration Notices, Notices and File Notes to be entered into the Shire of Corrigin Central Records System.

### Version Control:

1	Delegations register adopted by Council 18 June 2019
2	Amended - Delegations register adopted by Council 16 June 2020
3	Delegations register adopted by Council 15 June 2021
4	Amended – Delegations Register adopted by Council 21 June 2022

# Delegation Register

Shire of Corrigin



## 4. Cat Act 2011 Delegations

### 4.1.2 Cat Control Notices

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Cat Act 2011:</i> s.44 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Cat Act 2011:</i> s.26 Cat control notice may be given to cat owner
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to give a cat control notice to a person who is the owner of a cat ordinarily kept within the Shire of Corrigin's District [s.26].
<b>Council Conditions on this Delegation:</b>	Nil
<b>Express Power to Sub-Delegate:</b>	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Shire Rangers(This delegation can only be enacted by a Shire Employee not a contractor.)</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	NIL

<b>Compliance Links:</b>	<i>Cat Regulations 2012 – r.20 Cat control notice [s.23(3)], prescribes the Form of the notice.</i>
<b>Record Keeping:</b>	Copy of Notice to be entered into the Shire of Corrigin Central Records System.

#### Version Control:

1	Delegations register adopted by Council 18 June 2019
2	Amended – Delegations Register adopted by Council 21 June 2022
3	

#### 4. Cat Act 2011 Delegations

##### 4.1.3 Approval to Breed Cats

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Cat Act 2011:</i> s.44 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Cat Act 2011:</i> s.37 Approval to Breed Cats s.38 Cancellation of approval to breed cats s.39 Certificate to be given to approved cat breeder
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to grant or refuse to grant approval or renew an approval to breed cats [s.37(1) and (2)].</li> <li>2. Authority to refuse to consider an application for registration or renewal where an applicant does not comply with a requirement to give any document or information required to determine the application [s.37(4)].</li> <li>3. Authority to cancel an approval to breed cats [s.38].</li> <li>4. Authority to give an approved breeder a new certificate or tag, if satisfied that the original has been stolen, lost, damaged or destroyed [s.39(2)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the <i>Cat Act 2011</i> .
<b>Express Power to Sub-Delegate:</b>	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	NIL
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	NIL

<b>Compliance Links:</b>	Cat Regulations 2012:  r.21 Application for approval to breed cats (s.36(2)) r.22 Other circumstances leading to refusal of approval to breed cats (s.37(2)(f)) r.23 Person who not be refused approval to breed cats (s.37(5)) r.24 Duration of approval to breed cats (s.37(6)) r.25 Certificate given to approved cat breeder (s.39(1))
<b>Record Keeping:</b>	Approvals, File Notes and other correspondence to be entered in to the Shire of Corrigin Central Records system.

**Version Control:**

1	Delegations register adopted by Council 18 June 2019
2	
3	



# Delegation Register

Shire of Corrigin



## 4. Cat Act 2011 Delegations

### 4.1.4 Recovery of Costs – Destruction of Cats

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Cat Act 2011:</i> s.44 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Cat Act 2011:</i> s.49(3) Authorised person may cause cat to be destroyed
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to recover the amount of the costs associated with the destruction and the disposal of a cat [s.49(3)].
<b>Council Conditions on this Delegation:</b>	NIL
<b>Express Power to Sub-Delegate:</b>	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Deputy CEO</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	NIL

<b>Compliance Links:</b>	NIL
<b>Record Keeping:</b>	Notices, File Notes and Correspondence to be entered in the Shire of Corrigin Central Records system.

#### Version Control:

1	Delegations register adopted by Council 18 June 2019
2	Amended - Delegations register adopted by Council 16 June 2020
3	

# Delegation Register

Shire of Corrigin



## 4. Cat Act 2011 Delegations

### 4.1.5 Applications to Keep Additional Cats

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Cat Act 2011:</i> s.44 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Cat (Uniform Local Provisions) Regulations 2013:</i> r.8 Application to keep additional number of cats r.9 Grant of approval to keep additional number of cats
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to require any document or additional information required to determine an application [r.8(3)]</li> <li>2. Authority to refuse to consider an application if the applicant does not comply with a requirement to provide any document or information required to determine an application [r.8(4)].</li> <li>3. Authority to grant or refuse approval for additional number of cats specified in an application to be kept at the prescribed premises and to determine any condition reasonably necessary to ensure premises are suitable for the additional number of cats [r.9].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. Notices of decisions must include advice as to Review rights in accordance with r.11 of the <i>Cat (Uniform Local Provisions) Regulations 2013</i> .
<b>Express Power to Sub-Delegate:</b>	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>NIL</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<b>NIL</b>

Compliance Links:	<b>NIL</b>
Record Keeping:	Application Forms, Approvals, File Notes and Correspondence to be entered in the Shire of Corrigin Central Records system.

#### Version Control:

1	Delegations register adopted by Council 18 June 2019
2	
3	

# Delegation Register

Shire of Corrigin



## 4. Cat Act 2011 Delegations

### 4.1.6 Reduce or Waiver Registration Fee

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Cat Act 2011:</i> s.44 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Cat Regulations 2012:</i> Schedule 3 Fees clause 1(4)
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to reduce or waiver a fee payable under Schedule 3 clauses (2) or (3) in respect to any individual cat.
<b>Council Conditions on this Delegation:</b>	a. This delegation does NOT provide authority to determine to reduce or waiver the fees payable in regard to any <u>class of cat</u> within the District. This matter requires a Council decision in accordance with s.6.16, 6.17 and 6.18 of the <i>Local Government Act 1995</i> .
<b>Express Power to Sub-Delegate:</b>	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>NIL</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	NIL

Compliance Links:	NIL
Record Keeping:	File Notes and Correspondence to be entered in the Shire of Corrigin Central Records system.

#### Version Control:

1	Delegations register adopted by Council 18 June 2019
2	
3	

## 4. Cat Act 2011 Delegations

### 4.2 Cat Act Delegations - CEO to Employees

#### 4.2.1 Infringement Notices – Extensions and Withdrawals

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government
<b>Express Power or Duty Delegated:</b>	<i>Cat Act 2011:</i> s.64 Extension of time s.65 Withdrawal of notice
<b>Delegate/s:</b>	<b>Deputy CEO</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to extend the period of 28 days within which the modified penalty may be paid and the extension may be allowed whether or not the period of 28 days has elapsed [s.64].</li> <li>2. Authority, within one year of the infringement notice being given and whether or not the modified penalty has been paid, to withdraw an infringement notice [s.65].</li> </ol>
<b>CEO Conditions on this Delegation:</b>	
<b>Express Power to Sub-Delegate:</b>	Nil.

<b>Compliance Links:</b>	<i>Cat Regulations 2012:</i> r.28 Withdrawal of infringement notice (s.65(1))
<b>Record Keeping:</b>	File Notes and Correspondence to be entered in the Shire of Corrigin Central Records system.

#### Version Control:

1	Delegations Register adopted by Council 21 June 2022
2	
3	

5. Dog Act 1974 Delegations

**5 Dog Act 1974 Delegations**

**5.1 Dog Act Delegations Council to CEO**

**5.1.1 Appoint Authorised Persons**

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
<b>Express Power or Duty Delegated:</b>	<i>Dog Act 1976:</i> s.11(1) Staff and Services
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to appoint Registration Officers to exercise the powers and duties conferred on a Registration Officer by this Act [s.3].
<b>Council Conditions on this Delegation:</b>	a. The Chief Executive Officer may further delegate (sub-delegate) to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.
<b>Express Power to Sub-Delegate:</b>	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>NIL</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<b>NIL</b>

Compliance Links:	<b>NIL</b>
Record Keeping:	Instruments or Certificates of Authorisation – Copies are to be retained on the Authorised Person’s personnel file.  A record of each Authorisation is to be retained in the Authorised Persons Register, retained as a Local Government Record.

**Version Control:**

1	Delegations register adopted by Council 21 June 2022
2	
3	

# Delegation Register

Shire of Corrigin



## 5. Dog Act 1974 Delegations

### 5.1.2 Part Payment of Sterilisation Costs / Directions to Veterinary Surgeons

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
<b>Express Power or Duty Delegated:</b>	<i>Dog Act 1976:</i> s.10A Payments to veterinary surgeons towards costs of sterilisation
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to determine where a resident who is the owner of a registered dog, would suffer hardship in paying the whole of the cost of sterilisation and determine to pay part of such costs to a maximum value of \$100 [s.10A(1)(a) and (3)].</li> <li>2. Authority to give written directions to a veterinary surgeon to be complied with as a condition of part payment of the cost of sterilisation [s.10A(1)(b) and (2)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)].
<b>Express Power to Sub-Delegate:</b>	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>NIL</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<b>NIL</b>

<b>Compliance Links:</b>	<b>NIL</b>
<b>Record Keeping:</b>	File Notes and Correspondence to be entered in the Shire of Corrigin Central Records system.

#### Version Control:

1	Delegations register adopted by Council 18 June 2019
2	Amended. Delegations register adopted by Council 21 June 2022
3	

## 5. Dog Act 1974 Delegations

### 5.1.3 Refuse or Cancel Registration

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
<b>Express Power or Duty Delegated:</b>	<i>Dog Act 1976:</i> s.15(2) and (4A) Registration periods and fees s.16(3) Registration procedure s.17A(2) If no application for registration made s.17(4) and (6) Refusal or cancellation of registration
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to determine to refuse a dog registration and refund the fee, if any [s.16(2)].</li> <li>2. Authority to direct the registration officer to refuse to effect or renew or to cancel the registration of a dog, and to give notice of such decisions, where:                         <ol style="list-style-type: none"> <li>i. the applicant, owner or registered owner has been convicted of an offence or paid a modified penalty within the past 3-years in respect of 2 or more offences against this Act, the <i>Cat Act 2011</i> or the <i>Animal Welfare Act 2002</i>; or</li> <li>ii. the dog is determined to be destructive, unduly mischievous or to be suffering from a contagious or infectious disease or</li> <li>iii. the delegate is not satisfied that the dog is or will be effectively confined in or at premises where the dog is ordinarily kept</li> <li>iv. the dog is required to be microchipped but is not microchipped; or</li> <li>v. the dog is a dangerous dog [s.16(3) and s.17A(2)].</li> </ol> </li> <li>3. Authority to discount or waive a registration fee, including a concessional fee, for any individual dog or any class of dogs within the Shire's District [s15(4A)].</li> <li>4. Authority to apply to a Justice of the Peace for an order to seize a dog where, following a decision to refuse or cancel a registration and the applicant / owner has not applied to the State Administration Tribunal for the decision to be reviewed. [s.17(4)].                         <ol style="list-style-type: none"> <li>i. Authority, following seizure, to determine to cause the dog to be detained or destroyed or otherwise disposed of as though it had be found in contravention of section 31, 32 or 33A and had not been claimed [s.17(6)]</li> </ol> </li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)].</li> </ol>

# Delegation Register

Shire of Corrigin



## 5. Dog Act 1974 Delegations

<b>Express Power to Sub-Delegate:</b>	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)
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<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	NIL
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	NIL

<b>Compliance Links:</b>	<i>Dog Act 1976</i> s.17A If no application for registration made – procedure for giving notice of decision under s.16(3)  Note – Decisions under this delegation may be referred for review by the State Administration Tribunal – s.16A, s.17(4) and (6)  Shire of Corrigin Dogs Local Law 2021
<b>Record Keeping:</b>	File Notes and Correspondence to be entered in the Shire of Corrigin Central Records system.

### Version Control:

1	Delegations register adopted by Council 18 June 2019
2	Amended. Delegations register adopted by Council 21 June 2022
3	



# Delegation Register

Shire of Corrigin



## 5. Dog Act 1974 Delegations

### 5.1.4 Dispose of or Sell Dogs Liable to be Destroyed

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
<b>Express Power or Duty Delegated:</b>	<i>Dog Act 1976:</i> s.29(11) Power to seize dogs
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to dispose of or sell a dog which is liable to be destroyed [s.29(11)].
<b>Council Conditions on this Delegation:</b>	a. The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)]. b. Proceeds from the sale of dogs are to be directed into the Municipal Fund.
<b>Express Power to Sub-Delegate:</b>	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Deputy CEO</b> <b>Shire Rangers (Must be a Shire Employee)</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	NIL

<b>Compliance Links:</b>	NIL
<b>Record Keeping:</b>	File Notes and Correspondence to be entered in the Shire of Corrigin Central Records system.

#### Version Control:

1	Delegations register adopted by Council 18 June 2019
2	Amended - Delegations register adopted by Council 16 June 2020
3	Amended. Delegations register adopted by Council 21 June 2022

**5. Dog Act 1974 Delegations**

**5.1.5 Declare Dangerous Dog**

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
<b>Express Power or Duty Delegated:</b>	<i>Dog Act 1976:</i> s.33E(1) Individual dog may be declared to be dangerous dog (declared)
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to declare an individual dog to be a dangerous dog [s.33E(1)].
<b>Council Conditions on this Delegation:</b>	a. The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)].
<b>Express Power to Sub-Delegate:</b>	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Deputy Chief Executive Officer Shire Rangers (Must be a Shire Employee)</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	NIL

<b>Compliance Links:</b>	<i>Note – Decisions under this delegation may be referred for review by the State Administration Tribunal</i>  <i>Shire of Corrigin Dogs Local Law 2021</i>  <i>Note – The CEO cannot hold this Delegation, and the right to revoke s33(h)(1) and (2)</i>  <i>Dog Act 1976:</i> <i>s.33F(6) Owners to be Notified of making of declaration</i> <i>s.33G(4) Seizure and destruction</i> <i>s.33H(1) and (2) Local government may revoke declaration or proposal to destroy</i>
<b>Record Keeping:</b>	File Notes and Correspondence to be entered in the Shire of Corrigin Central Records system.

**Version Control:**

1	Delegations Register adopted by Council 21 June 2022
2	
3	

**5. Dog Act 1974 Delegations**

**5.1.6 Recovery of Moneys Due Under this Act**

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
<b>Express Power or Duty Delegated:</b>	<i>Dog Act 1976:</i> s.29(5) Power to seize dogs
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to recover moneys, in a court of competent jurisdiction, due in relation to a dog for which the owner is liable [s.29(5)].
<b>Council Conditions on this Delegation:</b>	a. The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)].
<b>Express Power to Sub-Delegate:</b>	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Deputy Chief Executive Officer</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	NIL

<b>Compliance Links:</b>	Includes recovery of expenses relevant to: s.30A(3) Operator of dog management facility may have dog microchipped at owner's expense s.33M Local government expenses to be recoverable. s.47 Veterinary service expenses recoverable from local government r.31 Local government expenses as to dangerous dogs (declared)
<b>Record Keeping:</b>	File Notes, Infringement notices and Correspondence to be entered in the Shire of Corrigin Central Records system.

**Version Control:**

1	Delegations register adopted by Council 18 June 2019
2	Amended - Delegations register adopted by Council 16 June 2020
3	

**5. Dog Act 1974 Delegations**

**5.1.7 Determine Recoverable Expenses for Dangerous Dog Declaration**

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
<b>Express Power or Duty Delegated:</b>	<i>Dog Act 1976:</i> s.33M(1)(a) Local Government expenses to be recoverable
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to determine the reasonable charge to be paid by an owner at the time of payment of the registration fee under s.15, up to any maximum amount prescribed, having regard to the expenses incurred by the Local Government in making inquiries, investigations and inspections concerning the behaviour of a dog declared to be dangerous [s.33H(5)].
<b>Council Conditions on this Delegation:</b>	a. The Chief Executive Officer may further delegate (sub-delegate) to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.
<b>Express Power to Sub-Delegate:</b>	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Deputy CEO</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	NIL

<b>Compliance Links:</b>	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
<b>Record Keeping:</b>	File Notes, Notices and Correspondence to be entered in the Shire of Corrigin Central Records system.

**Version Control:**

1	Delegations register adopted by Council 18 June 2019
2	Amended - Delegations register adopted by Council 16 June 2020
3	

**6. Food Act 2008 Delegations**

**6 Food Act 2008 Delegations**

**6.1 Council to CEO**

**6.1.1 Determine Compensation**

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
<b>Express Power or Duty Delegated:</b>	<i>Food Act 2008:</i> s.56(2) Compensation to be paid in certain circumstances s.70(2) and (3) Compensation
<b>Delegate:</b>	<b>Chief Executive Officer Environmental Health Officers</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to determine applications for compensation in relation to any item seized, if no contravention has been committed and the item cannot be returned [s.56(2)].</li> <li>2. Authority to determine an application for compensation from a person on whom a prohibition notice has been served and who has suffered loss as the result of the making of the order and who considers that there were insufficient grounds for making the order [s.70(2) and (3)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.</li> <li>b. Compensation under this delegation may only be determined upon documented losses up to a maximum of \$500. Compensation requests above this value are to be reported to Council.</li> </ol>
<b>Express Power to Sub-Delegate:</b>	NIL – Food Regulations 2009 do not provide for sub-delegation.

<b>Compliance Links:</b>	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal  Shire of Corrigin Register of Policies: - Policy 12.1 Food Safety Compliance and Enforcement
<b>Record Keeping:</b>	File Notes, Notices and Correspondence to be entered in the Shire of Corrigin Central Records system.

**Version Control:**

1	Delegations register adopted by Council 18 June 2019
2	
3	

**6. Food Act 2008 Delegations**

**6.1.2 Prohibition Orders**

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
<b>Express Power or Duty Delegated:</b>	<i>Food Act 2008:</i> s.65(1) Prohibition orders s.66 Certificate of clearance to be given in certain circumstances s.67(4) Request for re-inspection
<b>Delegate:</b>	<b>Chief Executive Officer</b> <b>Environmental Health Officers</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to serve a prohibition order on the proprietor of a food business in accordance with s.65 of the Food Act 2008 [s.65(1)].</li> <li>2. Authority to give a certificate of clearance, where inspection demonstrates compliance with a prohibition order and any relevant improvement notices [s.66].</li> <li>3. Authority to give written notice to proprietor of a food business on whom a prohibition order has been served of the decision not to give a certificate of clearance after an inspection [s.67(4)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.
<b>Express Power to Sub-Delegate:</b>	NIL – Food Regulations 2009 do not provide for sub-delegation.

<b>Compliance Links:</b>	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal  Shire of Corrigin Register of Policies: - Policy 12.1 Food Safety Compliance and Enforcement
<b>Record Keeping:</b>	File Notes, Notices and Correspondence to be entered in the Shire of Corrigin Central Records system.

**Version Control:**

1	Delegations register adopted by Council 18 June 2019
2	
3	

**6. Food Act 2008 Delegations**

**6.1.3 Food Business Registrations**

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
<b>Express Power or Duty Delegated:</b>	<i>Food Act 2008:</i> s.110(1) and (5) Registration of food business s.112 Variation of conditions or cancellation of registration of food businesses
<b>Delegate:</b>	<b>Chief Executive Officer</b> <b>Environmental Health Officers</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to consider applications and determine registration of a food business and grant the application with or without conditions or refuse the registration [s.110(1) and (5)]. 2. Authority to vary the conditions or cancel the registration of a food business [s.112].
<b>Council Conditions on this Delegation:</b>	a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time, including but not limited to: <ul style="list-style-type: none"> <li>• Food Act 2008 Regulatory Guideline No.1 Introduction of Regulatory Food Safety Auditing in WA</li> <li>• Food Unit Fact Sheet 8 – Guide to Regulatory Guideline No.1</li> <li>• WA Priority Classification System</li> <li>• Verification of Food Safety Program Guideline</li> </ul>
<b>Express Power to Sub-Delegate:</b>	NIL – Food Regulations 2009 do not provide for sub-delegation.

<b>Compliance Links:</b>	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal  Shire of Corrigin Register of Policies: - Policy 12.1 Food Safety Compliance and Enforcement
<b>Record Keeping:</b>	File Notes, Notices and Correspondence to be entered in the Shire of Corrigin Central Records system.

**Version Control:**

1	Delegations register adopted by Council 18 June 2019
2	
3	



## 6. Food Act 2008 Delegations

### 6.1.4 Appoint Authorised Officers and Designated Officers

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
<b>Express Power or Duty Delegated:</b>	<i>Food Act 2008:</i> s.122(1) Appointment of authorised officers s.126(6), (7) and (13) Infringement Officers
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to appoint a person to be an authorised officer for the purposes of the Food Act 2008 [s.122(2)].</li> <li>2. Authority to appoint an Authorised Officer appointed under s.122(2) of this Act or the s.24(1) of the <i>Public Health Act 2016</i>, to be a Designated Officer for the purposes of issuing Infringement Notices under the <i>Food Act 2008</i> [s.126(13)].</li> <li>3. Authority to appoint an Authorised Officer to be a Designated Officer (who is prohibited by s.126(13) from also being a Designated Officer for the purpose of issuing infringements), for the purpose of extending the time for payment of modified penalties [s.126(6)] and determining withdrawal of an infringement notice [s.126(7)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time, including but not limited to: <ul style="list-style-type: none"> <li>• Appointment of Authorised Officers as Meat Inspectors</li> <li>• Appointment of Authorised Officers</li> <li>• Appointment of Authorised Officers – Designated Officers only</li> <li>• Appointment of Authorised Officers – Appointment of persons to assist with the discharge of duties of an Authorised Officer</li> </ul> </li> </ol>
<b>Express Power to Sub-Delegate:</b>	NIL – Food Regulations 2009 do not provide for sub-delegation.

<b>Compliance Links:</b>	<p>s.122(3) requires an Enforcement Agency to maintain a list of appointed authorised officers</p> <p>s.123(1) requires an Enforcement Agency to provide each Authorised Officer with a Certificate of Authority as prescribed</p> <p>Shire of Corrigin Register of Policies: - Policy 12.1 Food Safety Compliance and Enforcement</p>
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# Delegation Register

Shire of Corrigin



## 6. Food Act 2008 Delegations

Record Keeping:	Instruments or Certificates of Authorisation – Copies are to be retained on the Authorised Person's personnel file.  A record of each Authorisation is to be retained in the Authorised Persons Register, retained as a Local Government Record.
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### Version Control:

1	Delegations register adopted by Council 18 June 2019
2	
3	

# Delegation Register

Shire of Corrigin



## 6. Food Act 2008 Delegations

### 6.1.5 Debt Recovery and Prosecutions

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
<b>Express Power or Duty Delegated:</b>	<i>Food Act 2008:</i> s.54 Cost of destruction or disposal of forfeited item s.125 Institution of proceedings
<b>Delegate:</b>	<b>Chief Executive Officer</b> <b>Environmental Health Officers</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to recover costs incurred in connection with the lawful destruction or disposal of an item (seized) including any storage costs [s.54(1)] and the costs of any subsequent proceedings in a court of competent jurisdiction [s.54(3)]. 2. Authority to institute proceedings for an offence under the Food Act 2008 [s.125].
<b>Council Conditions on this Delegation:</b>	a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.
<b>Express Power to Sub-Delegate:</b>	NIL – Food Regulations 2009 do not provide for sub-delegation.

<b>Compliance Links:</b>	Shire of Corrigin Register of Policies: - Policy 12.1 Food Safety Compliance and Enforcement - Policy 2.2 Debt Collection
<b>Record Keeping:</b>	File Notes, Notices and Correspondence to be entered in the Shire of Corrigin Central Records system.

#### Version Control:

1	Delegations register adopted by Council 18 June 2019
2	
3	

# Delegation Register

Shire of Corrigin



## 6. Food Act 2008 Delegations

### 6.1.6 Food Businesses List – Public Access

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
<b>Express Power or Duty Delegated:</b>	<i>Food Act 2008:</i> r.51 Enforcement agency may make list of food
<b>Delegate:</b>	<b>Chief Executive Officer</b> <b>Environmental Health Officers</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to decide to make a list of food businesses maintained under s.115(a) or (b) publicly available [r.51].
<b>Council Conditions on this Delegation:</b>	a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.
<b>Express Power to Sub-Delegate:</b>	NIL – Food Regulations 2009 do not provide for sub-delegation.

<b>Compliance Links:</b>	Shire of Corrigin Register of Policies: - Policy 12.1 Food Safety Compliance and Enforcement
<b>Record Keeping:</b>	File Notes and Correspondence to be entered in the Shire of Corrigin Central Records system.

#### Version Control:

1	Delegations register adopted by Council 18 June 2019
2	
3	

## 8. Public Health Act 2016 Delegations

### 7 Public Health Act 2016 Delegations

#### 7.1 Council to CEO

##### 7.1.1 Appoint Authorised Officer or Approved Officer (Asbestos Regs)

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Health (Asbestos) Regulations 1992:</i> r.15D(7) Infringement Notices
<b>Express Power or Duty Delegated:</b>	<i>Health (Asbestos) Regulations 1992:</i> r.15D(5) Infringement Notices
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to appoint a person or classes of persons as an authorised officer or approved officer for the purposes of the <i>Criminal Procedure Act 2004</i> Part 2 [r.15D(5)].
<b>Council Conditions on this Delegation:</b>	a. Subject to each person so appointed being issued with a certificate, badge or identity card identifying the officer as a person authorised to issue infringement notices [r.15D(6)].
<b>Express Power to Sub-Delegate:</b>	NIL – the <i>Health (Asbestos) Regulations 1992</i> do not provide a power to sub-delegate.

<b>Compliance Links:</b>	<i>Criminal Procedure Act 2004 – Part 2</i>
<b>Record Keeping:</b>	Instruments or Certificates of Authorisation – Copies are to be retained on the Authorised Person's personnel file.  A record of each Authorisation is to be retained in the Authorised Persons Register, retained as a Local Government Record.

#### Version Control:

1	Delegations register adopted by Council 18 June 2019
2	
3	

# Delegation Register

Shire of Corrigin



## 8. Public Health Act 2016 Delegations

### 7.1.2 Enforcement Agency Reports to the Chief Health Officer

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Enforcement Agency (means Local Government vide s.4 definition)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Public Health Act 2016:</i> s.21 Enforcement agency may delegate
<b>Express Power or Duty Delegated:</b>	<i>Public Health Act 2016</i> s.22 Reports by and about enforcement agencies
<b>Delegate:</b>	<b>Environmental Health Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to prepare and provide to the Chief Health Officer, the Local Government's report on the performance of its functions under this Act and the performance of functions by persons employed or engaged by the Shire of Corrigin [s.22(1)]</li> <li>2. Authority to prepare and provide to the Chief Health Officer, a report detailing any proceedings for an offence under this Act [s.22(2)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	NIL
<b>Express Power to Sub-Delegate:</b>	NIL – Unless a Regulation enacted under the Public Health Act 2016, specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].

<b>Compliance Links:</b>	<i>Public Health Act 2016</i> s.20 Conditions on performance of functions by enforcement agencies.
<b>Record Keeping:</b>	File Notes, Reports and Correspondence to be entered in the Shire of Corrigin Central Records system.

#### Version Control:

1	Delegations register adopted by Council 18 June 2019
2	
3	

## 8. Public Health Act 2016 Delegations

### 7.1.3 Designate Authorised Officers

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Enforcement Agency (means Local Government vide s.4 definition)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Public Health Act 2016:</i> s.21 Enforcement agency may delegate
<b>Express Power or Duty Delegated:</b>	<i>Public Health Act 2016</i> s.24(1) and (3) Designation of authorised officers
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<p>1. Authority to designate a person or class of persons as authorised officers for the purposes of:</p> <ol style="list-style-type: none"> <li>i. The Public Health Act 2016 or other specified Act</li> <li>ii. Specified provisions of the Public Health Act 2016 or other specified Act</li> <li>iii. Provisions of the Public Health Act 2016 or another specified Act, other than the specified provisions of that Act.</li> </ol> <p>Including:</p> <ol style="list-style-type: none"> <li>a. an environmental health officer or environmental health officers as a class; OR</li> <li>b. a person who is not an environmental health officer or a class of persons who are not environmental health officers, OR</li> <li>c. a mixture of the two. [s.24(1) and (3)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. Subject to each person so appointed being; <ul style="list-style-type: none"> <li>• Appropriately qualified and experienced [s.25(1)(a)]; and</li> <li>• Issued with a certificate, badge or identity card identifying the authorised officer [s.30 and 31].</li> </ul> </li> <li>b. A Register (list) of authorised officers is to be maintained in accordance with s.27.</li> </ol>
<b>Express Power to Sub-Delegate:</b>	NIL – Unless a Regulation enacted under the Public Health Act 2016, specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].

<b>Compliance Links:</b>	<p><i>Public Health Act 2016</i></p> <ul style="list-style-type: none"> <li>s.20 Conditions on performance of functions by enforcement agencies.</li> <li>s.25 Certain authorised officers required to have qualifications and experience.</li> <li>s.26 Further provisions relating to designations</li> <li>s.27 Lists of authorised officers to be maintained</li> <li>s.28 When designation as authorised officer ceases</li> <li>s.29 Chief Health Officer may issue guidelines about qualifications and experience of authorised officers</li> <li>s.30 Certificates of authority</li> <li>s.31 Issuing and production of certificate of authority for purposes of other written laws</li> <li>s.32 Certificate of authority to be returned.</li> <li>s.136 Authorised officer to produce evidence of authority</li> </ul>
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## 8. Public Health Act 2016 Delegations

	<p><i>Criminal Investigation Act 2006, Parts 6 and 13 – refer s.245 of the Public Health Act 2016</i></p> <p><i>The Criminal Code, Chapter XXVI – refer s.252 of the Public Health Act 2016</i></p>
Record Keeping:	<p>Instruments or Certificates of Authorisation – Copies are to be retained on the Authorised Person’s personnel file.</p> <p>A record of each Authorisation is to be retained in the Authorised Persons Register, retained as a Local Government Record.</p>

### Version Control:

1	Delegations register adopted by Council 18 June 2019
2	
3	

# Delegation Register

Shire of Corrigin



## 8. Public Health Act 2016 Delegations

### 7.1.4 Determine Compensation for Seized Items

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Enforcement Agency (means Local Government vide s.4 definition)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Public Health Act 2016:</i> s.21 Enforcement agency may delegate
<b>Express Power or Duty Delegated:</b>	<i>Public Health Act 2016</i> s.264 Compensation
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority, in response to an application for compensation, to determine compensation that is just and reasonable in relation to any item seized under Part 16 if there has been no contravention of the Act and the item cannot be returned or has in consequence of the seizure depreciated in value [s.264].
<b>Council Conditions on this Delegation:</b>	a. Compensation is limited to a maximum value of \$500, with any proposal for compensation above this value to be referred for Council's determination.
<b>Express Power to Sub-Delegate:</b>	NIL – Unless a Regulation enacted under the Public Health Act 2016, specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].

<b>Compliance Links:</b>	<i>Public Health Act 2016</i> s.20 Conditions on performance of functions by enforcement agencies. Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
<b>Record Keeping:</b>	File Notes, Notices and Correspondence to be entered in the Shire of Corrigin Central Records system.

#### Version Control:

1	Delegations register adopted by Council 18 June 2019
2	
3	



# Delegation Register

Shire of Corrigin



## 8. Public Health Act 2016 Delegations

### 7.1.5 Commence Proceedings

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Enforcement Agency (means Local Government vide s.4 definition)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Public Health Act 2016:</i> s.21 Enforcement agency may delegate
<b>Express Power or Duty Delegated:</b>	<i>Public Health Act 2016</i> s.280 Commencing Proceedings
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to commence proceedings for an offence under the <i>Public Health Act 2016</i> [s.280]
<b>Council Conditions on this Delegation:</b>	<b>NIL</b>
<b>Express Power to Sub-Delegate:</b>	NIL – Unless a Regulation enacted under the Public Health Act 2016, specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].

<b>Compliance Links:</b>	<i>Public Health Act 2016</i> s.20 Conditions on performance of functions by enforcement agencies.  <i>Shire of Corrigin Health Local Law 2016</i>
<b>Record Keeping:</b>	File Notes, Notices and Correspondence to be entered in the Shire of Corrigin Central Records system.

#### Version Control:

1	Delegations register adopted by Council 18 June 2019
2	
3	

## 8 Planning and Development Act 2005 Delegations

### 8.1 Council to CEO

#### 8.1.1 Illegal Development

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42(b) Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Planning and Development Act 2005:</i> Section 214(2), (3) and (5)
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Give a written direction to the owner or any other person undertaking an unauthorised development to stop, and not recommence, the development or that part of the development that is undertaken in contravention of the planning scheme, interim development order or planning control area requirements;</li> <li>2. Give a written direction to the owner or any other person who undertook an unauthorised development: <ol style="list-style-type: none"> <li>(a) to remove, pull down, take up, or alter the development; and</li> <li>(b) to restore the land as nearly as practicable to its condition immediately before the development started, to the satisfaction of the responsible authority.</li> </ol> </li> <li>3. Give a written direction to the person whose duty it is to execute work to execute that work where it appears that delay in the execution of the work to be executed under a planning scheme or interim development order would prejudice the effective operation of the planning scheme or interim development order.</li> </ol>
<b>Council Conditions on this Delegation:</b>	NIL
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>NIL</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	NIL

# Delegation Register

Shire of Corrigin



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Compliance Links:	File Notes, Notices and Correspondence to be entered in the Shire of Corrigin Central Records system.
Record Keeping:	File Notes, Notices and Correspondence to be entered in the Shire of Corrigin Central Records system.

## Version Control:

1	Amended. Delegations register adopted by Council 21 June 2022
2	
3	

# Delegation Register

Shire of Corrigin



## 8.1.2 Certain Town Planning Functions Relating to Local Planning Scheme No.2

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42(b) Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Planning and Development Act 2005:</i> <i>Planning and Development (Local Planning Schemes) Regulations 2015 -Schedule 2 Clauses 82 &amp; 83</i> <i>Shire of Corrigin Local Planning Scheme No.2</i>
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<p>Council delegates its authority and power to the Chief Executive Officer in accordance with Clauses 82 and 83 in Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> as follows:</p> <p>1.0 <u>Advertising Applications for Development Approval</u></p> <p>Public advertising of Applications for Development Approval in accordance with Clause 64 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> where specifically required or deemed necessary due to concerns regarding potential impacts, including referrals to adjoining and other nearby landowners, State government agencies and essential service providers.</p> <p>2.0 <u>Consideration and Final Determination of Applications for Development Approval</u></p> <p>2.1 Approve Applications for Development Approval with a use permissibility classification of 'P', 'D' and 'A' in Table 1 (i.e. Zoning Table) of the Shire of Corrigin Local Planning Scheme No.2 in accordance with Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>, where no objections have been received (if advertised) and impose conditions as required.</p> <p>2.2 Approve an application to amend an aspect of a previously approved development application which, if amended, would not substantially change the development approved as per clause 77 in Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>.</p> <p>2.3 Grant an extension of development approval for up to two (2) years with no changes to any conditions of approval as per clause 77 in Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>.</p>

	<p>2.4 Refusal of all development applications where the proposed use is not permitted (i.e. use permissibility classification of 'X' in Table 1 (i.e. Zoning Table) of the Shire of Corrigin Local Planning Scheme No.2).</p> <p>2.5 An officer to whom delegated authority is granted to finally determine development applications is not to exercise that authority in the following circumstances and shall refer all applications to a meeting of Council for formal consideration and final determination:</p> <ul style="list-style-type: none"> <li>a) where the Chief Executive Officer has received a request from a Councillor that the matter be referred to Council for consideration or determination; or</li> <li>b) Where the delegated decision would be contrary to the intent of a previous decision made at a Council meeting, or any law or regulation; or</li> <li>c) Where notification has been given to adjoining and nearby owners or the general public for comment in accordance with the Local Planning Scheme or any Policy and written objections have been received within the time specified.</li> </ul> <p>3.0 <u>Use Not Listed</u></p> <p>To determine if a use that is not specifically listed in the Zoning Table (Table 1) of the Shire of Corrigin Local Planning Scheme No.2 is consistent, may be consistent or is not consistent with the objectives of the zone and publicly advertise an Application for Development Approval in accordance with Clause 64 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> where the use may be consistent with the objectives of the subject land's relevant zoning classification.</p> <p>4.0 <u>Advertising Extensions for Local Planning Scheme Amendments</u></p> <p>To extend the advertising period for local planning scheme amendments where it is considered necessary to provide adequate consultation and/or accommodate specific community consultation exercises (e.g. special electors' meetings, workshops etc.).</p> <p>5.0 <u>Directions Regarding Unauthorised Development</u></p> <p>To give written direction/s in relation to unauthorised</p>
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development and to authorise any action available to the local government under the *Planning and Development Act 2005* incidental to such written direction, including but not limited to:

- a) issuing a notice to remove, pull down, take up, or alter the development and to restore the land as nearly as practicable to its condition immediately before the development started, to the satisfaction of the local government; and/or
- b) commence legal action in accordance with the Council's endorsed procedure for compliance and enforcement.

These powers shall not be exercised in circumstances where the Chief Executive Officer has received a request from a Councillor that the matter be referred to Council for consideration or determination.

## 6.0 Responsible Authority Reports to the Development Assessment Panel

To submit Responsible Authority Reports to the Development Assessment Panel pursuant to Regulation 12 of the *Planning and Development (Development Assessment Panels) Regulations 2011* in relation to applications for development approval under Shire of Corrigin Local Planning Scheme No.2. The Chief Executive Officer is to advise Council of the lodgement and subsequent decision of a Development Assessment Panel (DAP) application at the next available Council meeting.

## 7.0 Subdivision Applications

- 7.1 Determine and provide formal responses to the Western Australian Planning Commission (WAPC) in relation to all strata, survey strata and subdivision applications (including amalgamations) that are fully compliant with the Shire of Corrigin Local Planning Scheme No.2, the Residential Design Codes and WAPC Development Control Policy 3.4 - Subdivision of Rural Land as applicable.
- 7.2 Issue formal subdivision clearances where the relevant local government conditions of subdivision approval by the WAPC have been satisfied and all relevant application fees have been paid by the proponent.

### Important Notes:

# Delegation Register

Shire of Corrigin



	<p>a) The delegations outlined above do not preclude the Delegate or Sub-Delegate referring the categories of development or legal proceedings outlined above to Council for formal consideration and final determination after having regard to the circumstances of a particular case.</p> <p>b) Where any development application has been determined under the delegations outlined above the approval shall contain the following footnote: <i>The above determination has been made by the local government's Chief Executive Officer under delegated authority in order to expedite the decision making process. If you are aggrieved by the decision you may request that the matter be reviewed by the State Administrative Tribunal.</i></p> <p>c) All matters determined under delegated authority are to be listed at the first available Ordinary Meeting of Council.</p>
<b>Council Conditions on this Delegation:</b>	NIL
<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	NIL
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	NIL

Compliance Links:	File Notes, Notices and Correspondence to be entered in the Shire of Corrigin Central Records system.
Record Keeping:	File Notes, Notices and Correspondence to be entered in the Shire of Corrigin Central Records system.

**Version Control:**

1	Amended. Delegations register adopted by Council 20 June 2023
2	
3	

## 9 Statutory Authorisations and Delegations to Local Government from State Government Entities

### 9.1 Environmental Protection Act 1986

#### 9.1.1 Noise Control – Environmental Protection Notices [Reg.65(1)]

Published by:  
Environment

**GOVERNMENT GAZETTE**  
Western Australia  
[Previous](#) [Close](#) [Next](#)

No. 47. 19-Mar-2004  
Page: 919 [Pdf](#) - 476kb

**EV401**

#### **ENVIRONMENTAL PROTECTION ACT 1986**

##### **Section 20**

Delegation No. 52

Pursuant to section 20 of the *Environmental Protection Act 1986*, the Chief Executive Officer hereby delegates as follows—

Powers and duties delegated—

All the powers and duties of the Chief Executive Officer, where any noise is being or is likely to be emitted from any premises not being premises licensed under the Act, to serve an environmental protection notice under section 65(1) in respect of those premises, and where an environmental protection notice is so served in such a case, all the powers and duties of the Chief Executive Officer under Part V of the Act in respect of that environmental protection notice.

Persons to whom delegation made—

This delegation is made to any person for the time being holding or acting in the office of Chief Executive Officer under the *Local Government Act 1995*.

Pursuant to section 59(1)(e) of the *Interpretations Act 1984*, Delegation No. 32, dated 4 February 2000 is hereby revoked.

Dated this 9<sup>th</sup> day of January 2004.

Approved—

FERDINAND TROMP, A/Chief Executive Officer.

Dr JUDY EDWARDS MLA, Minister for the Environment.



## 9.1.2 Noise Management Plans – Keeping Log Books, Noise Control Notices, Calibration and Approval of Non-Complying Events

Published by:  
Environment

**GOVERNMENT GAZETTE**  
Western Australia  
[Previous](#) [Close](#) [Next](#)

No. 232. 20-Dec-2013  
Page: 6282 [Pdf](#) - 3Mb

**EV402**

### **ENVIRONMENTAL PROTECTION ACT 1986**

Delegation No. 112

I, Jason Banks, in my capacity as Acting Chief Executive Officer of the Department of Environment Regulation responsible for the administration of the *Environmental Protection Act 1986* ("the Act"), and pursuant to section 20 of the Act, hereby delegate to any person for the time being holding or acting in the office of a Chief Executive Officer under the *Local Government Act 1995*, my powers and duties under the *Environmental Protection (Noise) Regulations 1997*, other than this power of delegation, in relation to--

- (a) waste collection and other works--noise management plans relating to specified works under regulation 14A or 14B;
- (b) bellringing or amplified calls to worship--the keeping of a log of bellringing or amplified calls to worship requested under regulation 15(3)(c)(vi);
- (c) community activities--noise control notices in respect of community noise under regulation 16;
- (d) motor sport venues--noise management plans in relation to motor sport venues under Part 2 Division 3;
- (e) shooting venues--noise management plans in relation to shooting venues under Part 2 Division 4;
- (f) calibration results--requesting, under regulation 23(b), details of calibration results undertaken and obtained under Schedule 4;
- (g) sporting, cultural and entertainment events--approval of events or venues for sporting, cultural and entertainment purposes under Part 2 Division 7, subject to the following limitation--
  - (i) Subregulation 18(13)(b) is not delegated.

Under section 59(1)(e) of the *Interpretation Act 1984*, Delegation No. 68, gazetted 22 June 2007 is hereby revoked.

Dated the 12th day of December 2013.

JASON BANKS, Acting Chief Executive Officer.

Approved by--

JOHN DAY, Acting Minister for Environment; Heritage.

## 9.1.3 Noise Management Plans – Construction Sites

Published by:  
Environment

**GOVERNMENT GAZETTE**  
Western Australia  
[Previous](#) [Close](#) [Next](#)

No. 71. 16-May-2014  
Page: 1548 [Pdf](#) - [2Mb](#)

**EV405**

### **ENVIRONMENTAL PROTECTION ACT 1986**

Delegation No. 119

I, Jason Banks, in my capacity as the Acting Chief Executive Officer of the Department responsible for the administration of the *Environmental Protection Act 1986* ("the Act"), and pursuant to section 20 of the Act, hereby delegate to the holder for the time being of the offices of-

- (a) Chief Executive Officer under the *Local Government Act 1995*; and
- (b) to any employee of the local government under the *Local Government Act 1995* who is appointed as an Authorised Person under section 87 of the Act,

all my powers and duties in relation to noise management plans under regulation 13 of the *Environmental Protection (Noise) Regulations 1997*, other than this power of delegation.

Under section 59(1)(e) of the *Interpretation Act 1984*, Delegation No. 111, gazetted 20 December 2013, is hereby revoked.

Dated the 1st day of May 2014.

JASON BANKS, Acting Chief Executive Officer.

## 9.2 Planning and Development Act 2005

### 9.2.1 Instrument of Authorisation - Sign Development Applications for Crown Land as Owner

DoL FILE 1738/2002v8; 858/2001v9

#### PLANNING AND DEVELOPMENT ACT 2005

#### INSTRUMENT OF AUTHORISATION

I, **Donald Terrence Redman MLA**, Minister for Lands, a body corporate continued by section 7(1) of the *Land Administration Act 1997*, under section 267A of the *Planning and Development Act 2005*, HEREBY authorise, in respect of each local government established under the *Local Government Act 1995* and listed in Column 2 of the Schedule, the person from time to time holding or acting in the position of Chief Executive Officer of the relevant local government, to perform the powers described in Column 1 of the Schedule subject to the conditions listed in Column 3 of the Schedule.

Dated the 2<sup>nd</sup> day of June 2016



HON DONALD TERRENCE REDMAN MLA  
MINISTER FOR LANDS

**SCHEDULE**

**This is the Schedule referred to in an Instrument of Authorisation relating to Development Applications under the *Planning and Development Act 2005***

Column 1	Column 2	Column 3
<p>The power to sign as owner in respect of Crown land that is:</p>	<p>City of Albany City of Armadale Shire of Ashburton Shire of Augusta-Margaret River Town of Bassendean City of Baywater City of Belmont Shire of Beverley Shire of Boddington Shire of Boyup Brook Shire of Bridgetown-Greenbushes Shire of Brooking Shire of Broome Shire of Broomehill-Tambellup Shire of Bruce Rock City of Bunbury Shire of Busselton Town of Cambridge City of Canning Shire of Capel Shire of Carnamah Shire of Carnarvon Shire of Chapman Valley Shire of Chittering Shire of Christmas Island Town of Claremont City of Cockburn Shire of Cocos (Keeling) Islands Shire of Collie Shire of Coolgardie Shire of Coorow Shire of Corrigin Town of Cottesloe Shire of Cranbrook Shire of Cuballing Shire of Cue Shire of Cunderdin Shire of Dalwallinu Shire of Dandaragan Shire of Dardanup Shire of Denmark Shire of Derby/West Kimberley Shire of Donnybrook-Balingup Shire of Downin Shire of Dumbleyung Shire of Dundas Town of East Fremantle Shire of East Pilbara Shire of Esperance Shire of Exmouth City of Fremantle City of Greater Geraldton</p>	<p>In accordance with and subject to approved Government Land policies.</p> <p>Any signature subject to the following endorsement: Signed only as acknowledgement that a development application is being made in respect of a proposal that includes Crown land, Crown reserves under management for the purpose, or a road and to permit this application to be assessed under the appropriate provision of the <i>Planning and Development Act 2005</i> (including any planning scheme). The signature does not represent approval or consent for planning purposes. Further, in the event that development approval is granted for the proposal, the above signature should not be taken as an acknowledgement of or consent to the commencement or carrying out of the proposed development or to any modification of the tenure or reservation classification of the Crown land component.</p>
<p>in respect of development applications being made under or referred to in:</p>		
<p>(i) section 99(2) of the <i>Planning and Development Act 2005</i> in respect of development for which approval is required under a regional interim development order (as that term is defined in that Act);</p>		
<p>(ii) section 103(2) of the <i>Planning and Development Act 2005</i> in respect of development for which approval is required under a local interim development order (as that term is defined in that Act);</p>		
<p>(iii) section 115 of the <i>Planning and Development Act 2005</i> in respect of development within a planning control area (as that term is defined in that Act);</p>		
<p>(iv) section 122A of the <i>Planning and Development Act 2005</i> in respect of which approval is required under an improvement scheme (as that term is defined in that Act);</p>		
<p>(v) section 162 of the <i>Planning and Development Act 2005</i> in respect of developments for which approval is required under a planning scheme or interim development order (as those terms are defined in that Act);</p>		
<p>(vi) section 163 of the <i>Planning and Development Act 2005</i> in respect of development on land which is comprised within a place entered in the Register maintained by the Heritage Council under the <i>Heritage of Western Australia Act 1990</i>, or of which such a place forms part;</p>	<p>Shire of Gingin Shire of Gnowangerup Shire of Goomalling City of Gosnells Shire of Halls Creek Shire of Harvey Shire of Invin Shire of Jerramungup City of Joondalup Shire of Kalamunda City of Kalgoorlie-Boulder Shire of Katanning Shire of Kellerberrin Shire of Kent Shire of Kojonup Shire of Kondinin Shire of Koorda Shire of Kulin City of Kwinana Shire of Lake Grace Shire of Laverton Shire of Leonora City of Mandurah Shire of Manjimup Shire of Meekatharra City of Melville Shire of Menzies Shire of Merredin Shire of Mingenew Shire of Moora Shire of Morawa Town of Mosman Park Shire of Mount Magnet Shire of Mt Marshall Shire of Mukinbudin Shire of Mundaring Shire of Murchison Shire of Murray</p>	
<p>(vii) section 171A of the <i>Planning and Development Act 2005</i> in respect of a prescribed development application (as that term is defined in that section of that Act).</p>		

# Delegation Register

Shire of Corrigin



Shire of Nannup  
Shire of Narembeen  
Shire of Narrogin  
Town of Narrogin  
City of Nedlands  
Shire of Ngaanyatjaraku  
Shire of Northam  
Shire of Northampton  
Shire of Nungarin  
Shire of Peppermint Grove  
Shire of Perenjori  
City of Perth  
Shire of Pingelly  
Shire of Plantagenet  
Town of Port Hedland  
Shire of Quairading  
Shire of Ravensthorpe  
City of Rockingham  
Shire of Roebourne  
Shire of Sandstone  
Shire of Serpentine Jarrahdale  
Shire of Shark Bay  
City of South Perth  
City of Stirling  
City of Subiaco  
City of Swan

Shire of Tammin  
Shire of Three Springs  
Shire of Toodyay  
Shire of Trayning  
Shire of Upper Gascoyne  
Town of Victoria Park  
Shire of Victoria Plains  
Town of Vincent  
Shire of Wagin  
Shire of Wandering  
City of Wanneroo  
Shire of Waroona  
Shire of West Arthur  
Shire of Westonia  
Shire of Wickiepin  
Shire of Williams  
Shire of Wiluna  
Shire of Wongan-Ballidu  
Shire of Woodanilling  
Shire of Wyalkatchem  
Shire of Wyndham-East Kimberley  
Shire of Yalgoo  
Shire of Yilgarn  
Shire of York

A handwritten signature in black ink, appearing to read "Donald Redman".

HON DONALD TERRENCE REDMAN MLA  
MINISTER FOR LANDS

2<sup>nd</sup> June  
..... day of ..... 2016



## 9.2.2 WA Planning Commission – Powers of Local Governments - s.15 of the Strata Titles Act 1985 (DEL.2020/01)

29 January 2021

GOVERNMENT GAZETTE, WA

449

PL402

### PLANNING AND DEVELOPMENT ACT 2005

#### INSTRUMENT OF DELEGATION

#### Del 2020/01 Powers of Local Governments

Delegation to local governments of certain powers and functions of the Western Australian Planning Commission relating to certain applications under the *Strata Titles Act 1985*

#### Preamble

Under section 16 of the *Planning and Development Act 2005* (the Act) the Western Australian Planning Commission (the WAPC) may, by resolution published in the *Government Gazette*, delegate any function under the Act or any other written law to a local government, a committee established under the *Local Government Act 1995* or an employee of a local government.

In accordance with section 16(4) of the Act, a reference in this instrument to a function or a power of the WAPC includes and extends to, without limitation or restriction, any of the powers, privileges, authorities, discretions, duties and responsibilities vested in or imposed on the WAPC by the Act or any other written law as the case requires.

#### Resolution under section 16 of the Act (delegation)

On 20 January 2021, pursuant to section 16 of the Act, the WAPC RESOLVED—

- A. TO DELEGATE to local governments, and to members and officers of those local governments, its powers and functions under section 15 of the *Strata Titles Act 1985* as set out in clause 1 of Schedule 1, within their respective districts, subject to the conditions set out in clause 3 of Schedule 1;
- B. TO DELEGATE to local governments, and to members and officers of those local governments, its powers and functions under sections 21 and 22 of the *Strata Titles Act 1985* as set out in clause 2 of Schedule 1, within their respective districts, subject to the conditions set out in clause 3 of Schedule 1;
- C. TO AMEND “Del 2020/01—Powers of Local Governments” to give effect to its resolution and to publish an updated, consolidated instrument.

SAM FAGAN, Western Australian Planning Commission.

#### Schedule 1

##### 1. Applications made under section 15 of the *Strata Titles Act 1985*

Power to determine applications under section 15 of the *Strata Titles Act 1985*, except those applications that—

- (a) propose the creation of a vacant lot;
- (b) propose vacant air stratas in multi-tiered strata scheme developments;
- (c) propose the creation or postponement of a leasehold scheme;
- (d) propose a type 1 (a) subdivision or a type 2 subdivision (as defined in section 3 of the *Strata Titles Act 1985*);
- (e) in the opinion of the WAPC as notified to the relevant local government in writing, or in the opinion of the relevant local government as notified to the WAPC in writing, relate to—
  - i. a type of development; and/or
  - ii. land within an area,

which is of state or regional significance, or in respect of which the WAPC has determined is otherwise in the public interest for the WAPC to determine the application.

##### 2. Applications under sections 21 and 22 of the *Strata Titles Act 1985*

Power to determine applications under—

- (a) section 21 of the *Strata Titles Act 1985*;
- (b) section 22 of the *Strata Titles Act 1985* where the amendment or repeal of scheme by-laws requires the approval of the WAPC.

##### 3. Reporting requirements

A local government that exercises the powers referred to in clause 1 and/or clause 2, is to provide the WAPC with data on all applications determined under this Instrument of Delegation. This must be provided at the conclusion of each financial year in the format prescribed by the WAPC.

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## 9.3 Main Roads Act 1930

### 9.3.1 Traffic Management - Events on Roads

A list of local governments authorised for Traffic Management for Events can be found on the Main Roads WA website [here](#)

**WESTERN AUSTRALIA  
ROAD TRAFFIC CODE 2000  
REGULATION 297(2)  
INSTRUMENT OF AUTHORISATION**

**RELATING TO  
TRAFFIC MANAGEMENT FOR EVENTS**

Pursuant to Regulation 297(2) of the *Road Traffic Code 2000* the Commissioner of Main Roads ("the Commissioner") hereby authorises (Insert name of Local Government) (Authorised Body) by itself, its employees, consultants, agents and contractors (together "Representatives") to, from the date indicated below, erect, establish, display, alter or take down such road signs of whatsoever type or class (except for permanent traffic control signals) as may be required for the purpose and duration of any:

- i) "event" subject to an order from the Commissioner of Police pursuant to Part VA of the *Road Traffic Act 1974*;
- ii) race meeting or speed test for which the Minister referred to in section 83 of the *Road Traffic Act 1974* has, under that provision, temporarily suspended the operation of any provisions of the *Road Traffic Act 1974* or regulations made under that Act; or
- iii) public meeting or procession the subject of a permit granted by the Commissioner of Police under the *Public Order in Streets Act 1984*;

or as may be required for the purpose of controlling traffic on a road adjacent to, or in the vicinity of, any event or organised activity approved by the Authorised Body under its local laws, on a road (other than a main road or highway) within its jurisdiction, SUBJECT ALWAYS to the following terms and conditions:

- (a) the Authorised Body shall at all times observe, perform and comply with the provisions of the "Traffic Management for Events Code of Practice" (as amended or replaced from time to time in consultation with the Traffic Management for Events Advisory Group) issued by Main Roads Western Australia ("the Code") referring to the version which is current at the time of the event, a copy of which can be obtained from Main Roads Western Australia from [www.mainroads.wa.gov.au](http://www.mainroads.wa.gov.au) or by contacting Main Roads by phone;
- (b) the Authorised Body shall develop and implement procedures that will satisfy the Commissioner that traffic management implemented by the Authorised Body, its employees, agents and contractors will in all respects conform to and comply with the requirements of the Code; and
- (c) the Authorised Body shall ensure that its Representatives comply with the terms and conditions identified above at paragraphs (a) and (b) as if they were named in those paragraphs in place of the Authorised Body.

By executing and returning the acknowledgment at the foot of this authorisation, the Authorised Body agrees to observe, perform and comply with the above terms and conditions.

The powers in this Instrument of Authorisation do not change or replace:

- 1) any prior Instrument of Authorisation from the Commissioner of Main Roads for the purposes of undertaking traffic management for works on roads; and
- 2) any powers and responsibilities of a local government provided in regulation 9 of the *Road Traffic (Events on Roads) Regulations 1991*.



# Delegation Register

Shire of Corrigin



Dated:

**THE COMMON SEAL OF THE  
COMMISSIONER OF MAIN ROADS** )

WAS AFFIXED BY )

COMMISSIONER OF MAIN ROADS )

FOR THE TIME BEING IN THE  
PRESENCE OF:

\_\_\_\_\_  
*Signature of Witness*

\_\_\_\_\_  
*Name of Witness (please print)*

## ACKNOWLEDGMENT BY AUTHORISED BODY

.....(*Insert name of Local Government*)..... agrees to unconditionally observe,  
perform and be bound by the above conditions.

**THE COMMON SEAL of** )

\_\_\_\_\_  
*[Insert name of Local Government]* )

Was hereunto affixed pursuant to a  
resolution of the Council in the  
presence of: )

\_\_\_\_\_  
*Signature of Chief Executive Officer*

\_\_\_\_\_  
*Signature of Witness*

\_\_\_\_\_  
*Name of Witness (please print)*

## 9.3.2 Traffic Management – Road Works

A list of Local Governments authorised for the purposes of Road Traffic Code 2000 r.297(2) are available on Main Roads WA website [here](#)

**WESTERN AUSTRALIA  
ROAD TRAFFIC CODE 2000  
REGULATION 297(2)  
INSTRUMENT OF AUTHORISATION**

Pursuant to Regulation 297(2) of the Road Traffic Code 2000 the Commissioner of Main Roads (“the Commissioner”) hereby authorises ..... (“Authorised Body”) by itself, its employees, consultants, agents and contractors (together “Representatives”) to, from the date indicated below, erect, establish, display, alter or take down such traffic signs and traffic control devices of whatsoever type or class (except for permanent traffic control signals) as may be required for the purpose and duration of any works, survey or inspection, associated with the construction, maintenance or repair on a road (other than a main road or highway), any adjoining land or any portion thereof within its jurisdiction, SUBJECT ALWAYS to the following terms and conditions:

- (a) the Authorised Body shall at all times observe, perform and comply with the provisions of the “Traffic Management for Works on Roads Code of Practice” (as amended or replaced from time to time in consultation with the Traffic Management for Roadworks Advisory Group) issued by Main Roads Western Australia (“the Code”) referring to the version which is current at the time of the relevant works, a copy of which can be obtained from Main Roads Western Australia from [www.mainroads.wa.gov.au](http://www.mainroads.wa.gov.au) or by contacting Main Roads by phone;
- (b) the Authorised Body shall develop and implement procedures that will satisfy the Commissioner that traffic management implemented by the Authorised Body, its employees, agents and contractors will in all respects conform to and comply with the requirements of the Code; and
- (c) the Authorised Body shall ensure that its Representatives comply with the terms and conditions identified above at paragraphs (a) and (b) as if they were named in those paragraphs in place of the Authorised Body.

By executing and returning the acknowledgment at the foot of this authorisation, the Authorised Body agrees to observe, perform and comply with the above terms and conditions.

This Instrument of Authorisation replaces any prior Instrument of Authorisation under Regulation 297(2) of the Road Traffic Code 2000 between the Commissioner and the Authorised Body. The Commissioner’s delegation dated 17 July 1975 to a number of Local Governments outside the Perth metropolitan area, is not affected by this Instrument of Authorisation except that this Instrument of Authorisation prevails wherever roadworks are concerned. That 1975 delegation was made under Regulation 301 of the Road Traffic Code 1975 and related to non-regulatory signage.

# Delegation Register

Shire of Corrigin



Dated:

THE COMMON SEAL OF THE )  
COMMISSIONER OF MAIN ROADS )  
WAS AFFIXED BY )  
)  
)  
COMMISSIONER OF MAIN ROADS )  
FOR THE TIME BEING IN THE PRESENCE OF: )

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Name of Witness

## ACKNOWLEDGMENT BY AUTHORISED BODY

..... agrees to observe, perform and be bound by the above conditions.

THE COMMON SEAL OF THE )  
..... )  
WAS AFFIXED PURSUANT TO A RESOLUTION )  
OF THE COUNCIL IN THE PRESENCE OF )

\_\_\_\_\_  
Chief Executive Officer

\_\_\_\_\_  
Witness

## 9.4 Road Traffic (Vehicles) Act 2012

### 9.4.1 Approval for Certain Local Government Vehicles as Special Use Vehicles



Government of Western Australia  
Department of Transport  
Driver and Vehicle Services

#### **ROAD TRAFFIC (VEHICLES) ACT 2012**

*Road Traffic (Vehicles) Regulations 2014*

**RTVR-2017-202046**

#### **APPROVAL UNDER REGULATION 327(4)(f) FOR CERTAIN LOCAL GOVERNMENT VEHICLES AS SPECIAL USE VEHICLES**

Pursuant to the *Road Traffic (Vehicles) Regulations 2014* (the *Regulations*), I, Christopher Davers, Assistant Director Strategy and Policy, Driver and Vehicle Services, Department of Transport, and delegate of the Chief Executive Officer of the Department of Transport by way of a delegation instrument dated 7 August 2017, hereby approve vehicles owned by a local government and ordinarily used by persons authorised or appointed by that local government to perform functions on its behalf under:

- (a) the *Local Government Act 1995*;
- (b) regulations made under the *Local Government Act 1995*;
- (c) a local law;
- (d) any other legislation empowering a local government to authorise or appoint persons to perform functions on the behalf of the local government (including but not limited to the *Dog Act 1976*); or
- (e) any combination of the above paragraphs (a) to (d);

as special use vehicles for the purposes of paragraph "f" of the definition of "special use vehicle" in regulation 327(4) of the *Regulations*, with the effect that those vehicles may be fitted with one or more yellow flashing lights under regulation 327(3)(b) of the *Regulations*, subject to the following conditions:

#### **CONDITIONS**

1. Those lights must emit rotating, flashing yellow coloured light(s) and must not be a strobe light.
2. At least one flashing light shall be mounted on top of the vehicle and when lit, shall be visible in normal daylight up to a distance of not less than 200 metres to vehicles approaching from any direction.
3. No part of the lens of the flashing lights is visible either directly or indirectly to the driver when seated in the normal driving position.
4. If more than one flashing light is fitted, they must be placed symmetrically about the centre line of the vehicle or combination of vehicles.
5. An on/off switch for the flashing lights must be installed so as to be easily operated from the driver's seat.
6. Any additional equipment fitted to the vehicle must not interfere with the overall safe operation of the vehicle.
7. Any vehicle fitted with flashing lights for the purposes of this approval must: