



DELEGATION REGISTER 2023

Shire of Perenjori

LOCAL GOVERNMENT TO
CHIEF EXECUTIVE OFFICER

RECORD OF REVIEWS

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1000 – ADMINISTRATION

1001 LOCAL LAWS ADMINISTRATION	
Function to be performed:	The CEO is delegated authority to administer the local government's Local Laws, subject to regard being taken of sections 9.1(1) and 9.4 of the Local Government Act 1995.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Section 3.18(1) (2) and (3) Local Government Act 1995

1002 FUNCTIONS OUTSIDE OWN DISTRICT	
Function to be performed:	The CEO is delegated authority over the performance of a local government's executive functions outside its own district, but before it can do anything on land outside its own district that is not local property of that local government, it is required to have obtained the consent of: (a) The owner of the land; (b) If the land is occupied, the occupier of the land; and (c) If the land is under the control or management of any other person, that other person.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Section 3.20 Local Government Act 1995

1003 NOTICES TO OWNERS AND OCCUPIERS OF LAND	
Function to be performed:	The Chief Executive Officer is authorised to issue notices to owners or occupiers or land in accordance with the provisions of Schedule 3.1, Divisions 1 and 2 of the Local Government Act 1995.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Section 3.25(1) & Schedule 3.1, Divisions 1 and 2 Local Government Act 1995.

1004 POWERS OF ENTRY	
Function to be performed:	The CEO is delegated authority to; <ol style="list-style-type: none"> 1. Give a Notice of Entry. 2. Seek and execute an Entry under Warrant. 3. Execute an Entry in an Emergency. 4. Give notice and execute the Opening of a Fence.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Local Government Act 1995 s.3.31 General procedure for entering property s3.32 Notice of entry s3.33 Entry under warrant s3.34 Entry in an emergency s3.36 Opening Fences

1005 REMOVE AND IMPOUND GOODS	
Function to be performed:	The CEO is delegated authority to remove and impound goods from a public place if the goods present a hazard to public safety or they obstruct the lawful use of any place.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Section 3.39 Local Government Act 1995

1005.1 AUTHORITY TO REMOVE AND IMPOUND ABANDONED VEHICLE	
Function to be performed:	The CEO is delegated authority to remove and impound an abandoned vehicle wreck.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Section 3.40A(1) Local Government Act 1995

1005.2 PROVIDE NOTICE TO WHERE ABANDONED VEHICLE TO BE COLLECTED	
1005.2	
Function to be performed:	The local government is to provide notice to the owner of a removed abandoned vehicle wreck, advising that the vehicle may be collected.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Section 3.40A(2) Local Government Act 1995

1005.3 DECLARING A VEHICLE AN ABANDONED WRECK	
Function to be performed:	The CEO is delegated authority to declare that a vehicle is an abandoned wreck.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Section 3.40A(4) Local Government Act 1995

1006 DISPOSING OF CONFISCATED OR UNCOLLECTED GOODS	
Function to be performed:	<ol style="list-style-type: none"> 1. Sell or otherwise dispose of any confiscated or impounded goods in accordance with [s3.47 of the Local Government Act 1995 (the Act)]. 2. Destroy an impounded animal where it is determined to be too ill or injured to treat [s3.47A(1) of the Act]. 3. Where an offender is convicted, recover from the offender expenses incurred for removing, impounding and disposing confiscated or impounded goods [s3.48 of the Act].
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	<p>Local Government Act 1995</p> <p>s3.47 Disposing of confiscated or uncollected goods – subclauses (1), (2), (2a)</p> <p>s3.47A Disposal of sick or injured animals – subclause (1)</p> <p>s3.48 Recovery of impounding expenses</p>

1007 STAFF EMPLOYMENT	
Function to be performed:	The CEO is delegated authority to employ such other persons as the Council believes are necessary to enable the functions of the local government and the functions of council to be performed.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer

1008 ADVERTISING OF CEO POSITION	
Function to be performed:	If the position of CEO becomes vacant, the CEO is delegated authority to advertise the position in the manner and containing such information as prescribed.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Section 5.36(4) Local Government Act

1009 SENIOR EMPLOYEE POSITION TO BE ADVERTISED	
Function to be performed:	<p>If the position of a senior employee becomes vacant, the CEO is delegated authority to advertise the position in the manner and containing such information as prescribed. The local government will prescribe which positions other than the CEO are to be designated Senior Positions.</p> <p>Currently these positions are:</p> <ul style="list-style-type: none"> • Manager Corporate Community Services; • Manager Infrastructure Services.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Section 5.37(3) Local Government Act 1995

1010 ADVERTISING OF ADOPTION OR MODIFICATION OF PLAN	
Function to be performed:	The CEO is delegated authority to carry out local advertising when a new Community Strategic Plan is adopted or if the existing plan is modified.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Local Government (Administration) Regulations 19D(1)(2)

1011 CERTIFICATE – AUTHORISED ENFORCEMENT PERSON	
Function to be performed:	The CEO is delegated authority to issue to each person authorised to enforce laws, a certificate stating that the person is so authorised, and the person is to produce the certificate whenever required to do so by a person who has been or is about to be affected by any exercise of authority by the authorised person.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Section 9.10(2) Local Government Act 1995

1012 PRESCRIBED INFORMATION MAY BE INSPECTED	
Function to be performed:	The CEO is delegated authority to make available information prescribed as confidential that under Section 5.95(7) of the Local Government Act 1995, may be made available for inspection. The CEO may also refuse inspection of documents in accordance with Section 5.95 (1) where an unreasonable use of resources is required.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Local Government (Administration) Regulation 29A(2) & 5.95(1)

1013 FREEDOM OF INFORMATION	
1013.1 FOI DECISION	
Function to be performed:	The CEO is delegated authority to make decisions in regards to applications submitted to the Shire under the Freedom of Information Act 1992.
Power or Duty Assigned:	Principal of the agency - Chief Executive Officer
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Section 100(1) Freedom of Information Act 1992
1013.2 FOI INTERNAL REVIEW	
Function to be performed:	The CEO is delegated authority to deal with an application for an internal review made under the Freedom of Information Act 1992.
Power or Duty Assigned:	No person who is subordinate to the primary decision maker
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Section 41 Freedom of Information Act 1992

1014 PROVIDING INFORMATION TO THE MINISTER	
Function to be performed:	Upon receiving a request from the Minister for information, the CEO is delegated authority to provide the information to the Minister within the specified time of the notice.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Section 8.2(2) Local Government Act 1995

1014.1 ADVICE TO THE MINISTER WITHIN 35 DAYS	
Function to be performed:	The CEO is authorised to within 35 days after receiving the report or such longer period as the Minister allows, give the Minister written advice setting out the things that it has done or proposes to do to give effect to the recommendations of the authorised person.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Section 8.14(3) Local Government Act 1995

1014.2 COPIES OF ADVICE TO THE MINISTER MADE PUBLIC	
Function to be performed:	Within 35 days after receiving the report or such longer period as the Minister allows, the local government is to give the Minister written advice setting out – <ul style="list-style-type: none"> (a) the things that it has done or proposes to do to give effect to the recommendations in the report; or (b) if the report recommends that the council be dismissed, its comments on that recommendation.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Section 8.23(4) Local Government Act 1995

1015 AUTHORISATION OF OFFICERS	
Function to be performed:	<p>The CEO is delegated authority to authorise officers to make complaints and enforce the various Acts and Regulations for the Shire including, yet not limited to, those listed hereunder:</p> <p>Local Government Act 1995</p> <p>Dog Act 1976 (as amended) and Regulations thereunder;</p> <p>Cat Act 2011 & Regulations thereunder</p> <p>Bushfire Act 1954 and Regulations thereunder;</p> <p>Control of Vehicles (Off Road Areas) Act 1978 and Regulations thereunder;</p> <p>Litter Act 1979 and Regulations thereunder;</p> <p>Caravan Parks and Camping Act 1995 and Regulations thereunder.</p> <p>Planning & Development Act 2006</p> <p>Building Act 2011 and Regulations thereunder</p>
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Section 5.42 Local Government Act 1995

1016 EXPRESSION OF INTEREST AND TENDERS – FOR SUPPLY OF GOODS OR SERVICES	
Function to be performed:	<p>The CEO is delegated authority to;</p> <p>Determine:</p> <ol style="list-style-type: none"> 1. When to call tenders or not to call tenders [s3.57(1) of the Local Government Act 1995 (the Act) and Reg.11 of the Local Government (Functions and General) Regulations 1996 (the Regulations)]. 2. The circumstances to invite tenders, though not required to do so [Reg.13 of the Regulations]; 3. Selection criteria for the acceptance of tenders [Reg.14(2a) of the Regulations]; 4. The information to be disclosed to those interested in submitting a tender [Reg.14(4) of the Regulations]; 5. Minor variations before entering into a contract [Reg.20 of the Regulations]; 6. Appropriate circumstances (for application of the Expression of interest process) and to call for Expressions of Interest [Reg.21 of the Regulations]; and, 7. Where the successful tenderer does not want to accept the contract and a variation or agreement cannot be reached, determine to select the next most appropriate tenderer [Reg.20 of the Regulations].
Power or Duty Assigned:	Local Government
Power to Delegate:	Chief Executive Officer
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	<p>Local Government Act 1995 Section 3.57 Local Government (Function and General) Regulations 1996 Reg.11 Tenders to be invited for certain contracts Reg.13 Procedure when local government invites tenders though not required to do so Reg.14 (2a), (4) and (5) Requirements for publicly inviting tenders Reg.20 Variation of requirements before entry into contract Reg.21 Limitation may be placed on who can tender</p>

1017 PERENJORI HISTORY BOOKS	
Function to be performed:	The CEO is authorised to offer "Perenjori History Books" (those owned by the Shire only) in exchange for other history books being offered to the Shire for purchase.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Section 5.42 Local Government Act 1995

190718.7 EXECUTING AND AFFIXING OF COMMON SEAL TO DOCUMENTS AND BUSH FIRES ACT 1954	
Function to be performed:	The Shire President is delegated authority to; Perform the duties of delegations Executing and Affixing of Common Seal to Documents and Bush Fires Act 1954 - Auth
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	The President of the Shire of Perenjori (Vice President in Presidents Absence) and the Chief Executive Officer
Reference:	Section 6.12(1)(b), (1) (c) and (3) Local Government Act 1995

2000 - WORKS

2001 ROAD CLOSURES	
2001.1 TEMPORARY ROAD CLOSURES	
Function to be performed:	<p>Subject to having regard for the requirements of Section 3.50 and 3.50A of the Local Government Act 1995 and for clauses 4, 5 and 6 of the Local Government (Functions and General) Regulations 1996 the CEO is delegated authority to:</p> <ul style="list-style-type: none"> a) temporarily close a thoroughfare to vehicles; <ul style="list-style-type: none"> I. In cases of emergency: II. Where, in the opinion of the CEO that, due to adverse weather conditions it is likely to be damaged by the passage of traffic generally or traffic of any particular class. III. For the conduct of an event, in accordance with the Road Traffic (Events on Roads) Regulations 1991; and IV. Where the local government is undertaking repair and maintenance works to a thoroughfare, b) To revoke an order to close a road or thoroughfare subject to the provisions of section 3.50(6) of the Local Government Act 1995.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Manager Infrastructure Services, Manager Corporate Community Services
Reference:	Section 3.50 Local Government Act 1995 Section 5.44 Local Government Act 1995
2001.2 PUBLIC NOTICE OF ROAD CLOSURE	
Function to be performed:	<p>Before it makes an order in accordance with Section 3.50 of the Local Government Act 1995 wholly or partially closing a thoroughfare to the passage of vehicles for a period exceeding 4 weeks, the CEO is delegated authority to give local public notice of the proposal inviting submissions.</p> <p>In addition, the local government is to give written notice to each person who either owns or occupies affected land or who is prescribed as having an interest.</p> <p>The CEO is delegated authority to close a thoroughfare to vehicles for up to 4 weeks without giving public notice.</p>
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer

Reference:	Section 3.50(4) Local Government Act 1995
2001.3 CLOSURE WITHOUT PUBLIC NOTICE FOR MAINTENANCE OR REPAIRS	
Function to be performed:	Notwithstanding Section 3.50, the CEO is delegated authority to partially and temporarily close a thoroughfare, without giving local public notice, if the closure is: (a) For the purpose of carrying out repairs or maintenance; or (b) Unlikely to have a significant adverse effect on users of the thoroughfare.
Power or Duty Assigned:	Local government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Section 3.50(A) Local Government Act 1995
2001.4 AFFECTED OWNERS TO BE NOTIFIED OF CERTAIN PROPOSALS	
Function to be performed:	Before fixing, altering or realigning a public thoroughfare or draining water onto adjoining land, the CEO is delegated authority to give affected owners, notice of its proposal, invite submissions providing a reasonable time for submissions and consider those submissions.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Section 3.51 Local Government Act 1995

2001.5 LOCAL GOVERNMENT AND PARKS AND RESERVES ACT 1996	
Function to be performed:	The CEO is delegated authority to do anything it could do under the Parks and Reserves Act 1895 if it were a Board appointed under that Act, to control and manage any land reserved under the Land Act 1933 and vested in or placed under the control and management of the local government.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Section 3.54(1) Local Government Act 1995

2002 GATES AND PIPES ACROSS THOROUGHFARES	
Function to be performed:	The CEO is delegated authority to approve the installation of gates across, or pipes under, Shire controlled thoroughfares with Council Policy, with a register of gates and pipes being kept in accordance with the requirements of the Local Government 1995.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Section 5.42 Local Government Act 1995

2003 ALTERING THOROUGHFARE ALIGNMENTS	
Function to be performed:	Before fixing or altering the level of alignment of a public thoroughfare, the CEO is delegated authority to give notice of the proposal inviting submissions from any person prescribed as having an interest.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes, if no objection
Delegation to:	Chief Executive Officer
Reference:	Section 3.51 (3) Local Government Act 1995

2004 DANGEROUS EXCAVATION	
Function to be performed:	If there is, in a public thoroughfare or land adjoining a public thoroughfare, an excavation that the local government considers to be dangerous the CEO is delegated authority to fill in or fence the excavation or request the owner or occupier to fill or securely fence the excavation.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Section 11(1) Local Government (Uniform Local Provisions) Regulations 1996

2005 CROSSING FROM PUBLIC THOROUGHFARE TO PRIVATE LAND OR PRIVATE THOROUGHFARE	
Function to be performed:	The CEO is delegated authority to approve the construction of a crossing giving access from a public thoroughfare to the land, or a private thoroughfare serving the land.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Section 12(1) Local Government (Uniform Local Provisions) Regulations 1996

2006 DISPOSAL OF PROPERTY BY AUCTION	
Function to be performed:	The CEO is delegated authority to dispose of property to the highest bidder at public auction or by the most suitable public tender.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Section 3.58 (2) Local Government Act 1995

2007 DISPOSAL OF PROPERTY BY PRIVATE TREATY	
Function to be performed:	The CEO is delegated authority to dispose of property by private treaty but must follow the process set out under section 3.58(3) Local Government Act 1995.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Section 3.58 (3) Local Government Act 1995

2008 LICENCE TO DEPOSIT MATERIALS ON OR EXCAVATE ADJACENT TO A STREET	
Function to be performed:	The Chief Executive Officer is delegated the authority to issue permits to deposit materials on a street, way or other public place and to excavate on land abutting or adjoining a street, way or other public place pursuant to the Activities on Thoroughfares Local Law .
Power or Duty Assigned:	Council
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Section 5.42 Local Government Act 1995 & Activities on Thoroughfares Local Law Section 2.2

2009 SUPPORT OR OPPOSE RESTRICTED ACCESS VEHICLE HEAVY HAULAGE APPLICATIONS	
Function to be performed:	Authority to support or oppose restricted access heavy vehicle haulage applications.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Section 3.18 Local Government Act 1995 Section 5.42 Local Government Act 1995 Section 5.44 Local Government Act 1995

2010 PRIVATE WORKS	
Function to be performed:	The CEO is authorised to approve all private works applications in accordance with rates and charges set by the Council and always bearing in mind Policy Nos 2002, 3001 & 3003.
Power or Duty Assigned:	Council
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Section 5.42 Local Government Act 1995 Section 5.44 Local Government Act 1995

2011 DAMAGE TO ROADS, KERBING, FOOTPATHS ETC.	
Function to be performed:	The CEO is authorised to issue accounts for repairs to damage caused to roads, kerbing and footpaths. Where payment of the accounts is not received, the CEO is authorised to take legal action to recover the cost. The Council is to be advised of the proposed legal action prior to taking action.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Section 5.42 Local Government Act 1995

2012 COMPENSATION FOR DAMAGE CAUSED BY LOCAL GOVERNMENT	
Function to be performed:	The CEO is delegated authority to pay compensation to the owner or occupier of a property if the local government causes damage through the performance of its functions.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Section 3.22 (1) Local Government Act 1995

2013 MAKING A PERSON COMPLY WITH A NOTICE FOR CERTAIN THINGS TO BE DONE ON THEIR LAND	
Function to be performed:	In order to make a person comply with a notice, a local government may do anything it considers necessary (within the confines of the Act) to achieve the purpose for which the notice was given.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Section 3.26(2) Local Government Act 1995

2014 CONTINUE TO CARRY OUT WORK NOT CARRIED OUT BY OWNER	
Function to be performed:	The CEO is delegated authority to continue to undertake works that are not carried out by the owner or occupier and recover the costs as a debt.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Section 3.26(3) Local Government Act 1995

2015 AUTHORITY TO CARRY OUT WORK ON PRIVATE LAND	
Function to be performed:	The CEO is delegated authority go onto private land in the circumstances prescribed in Schedule 3.2 of the Local Government Act 1995 and carry out works, even if it does not have the consent of the owner.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Section 3.27(1) Local Government Act 1995

2016 PAYMENT OF SUBSIDIES	
Function to be performed:	The CEO is delegated authority to approve the construction of, and payment of subsidies for vehicular crossovers.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Section 13(1) Local Government (Uniform Local Provisions) Regulations 1996 r12 Crossing from public thoroughfare to private land or private thoroughfare r13 Requirement to construct or repair crossing r15 Contribution to cost of crossing

3000 - FINANCE

3001 PAYMENTS OF ACCOUNTS	
Function to be performed:	Municipal, Trust & Reserve Accounts: The Chief Executive Officer is delegated authority to make payments from the Municipal Fund, Trust Fund and Reserve Fund (transfers only)
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Council's Conditions on Delegation	<p>This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.</p> <ol style="list-style-type: none"> 1. Payment of salaries up to the amount required to meet employee entitlements obligations; and 2. Authorisation of payments made by Electronic Funds Transfer (EFT): <ol style="list-style-type: none"> (i) A list of payments made is presented to Council each month as part of the Agenda. 3. In accordance with Council policies and adopted budget. 4. Contract Variations are not to exceed \$500,000, and must be within the approved Council Budget for the project.
Reference:	<p>Section 6.7 (2) the Local Government Act 1995</p> <p>Local Government (Financial Management) Regulations 1996 Regulation 12(1)(a) Payments from municipal fund or trust fund.</p> <p>Finance Policy, Purchasing Policy</p>

3002 AMEND THE RATE RECORD	
Function to be performed:	The CEO is delegated authority to, on application by a person proposing to make an objection to the rate record, amend a rate record up to 5 years preceding the current financial year.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Section 6.39(2) Local Government Act 1995

3003 AGREEMENT AS TO PAYMENT OF RATES AND SERVICE CHARGES	
Function to be performed:	The CEO is delegated authority to accept payment of a rate or service charge due and payable by a person in accordance with an agreement made with the person.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Section 6.49 Local Government Act 1995 Section 5.44 Local Government Act 1995

3004 UNPAID RATES OR SERVICE CHARGES (SECTION 6.64)	
Function to be performed:	To take possession of land, and hold the land as against a person having an estate or interest in the land if any rates or service charges which are due in respect of rateable land have been unpaid for at least 3 years and – (a) from time to time lease the land; or (b) sell the land; or (c) cause the land to be transferred to the Crown; or (d) cause the land to be transferred to itself; or (e) lodge a caveat to preclude dealings in respect of the land, and may withdraw caveats so lodged by it.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Section 6.64 Local Government Act 1995

3005 PAYMENT OF OUTSTANDING DEBTS AND CANCELLATION OF PROPOSED SALE	
Function to be performed:	If a local government accepts payment of outstanding rates or service charges, under sections 6.69(1) or 6.69(2), the CEO is delegated authority to make such notifications and take such measures as are prescribed to cancel the proposed sale.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Section 6.69(3) Local Government Act 1995

3006 PROCEDURES FOR CONTROL OVER INVESTMENTS	
Function to be performed:	The CEO is delegated authority to establish and document internal control procedures to ensure control over investments.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Financial Management Regulations 19(1) Investment Policy

3007 INVESTMENT OF SURPLUS FUNDS	
Function to be performed:	The Finance Committee is authorised to direct the investment of money held in any Shire fund, that is not required for immediate use, in an approved investment fund as defined by the Trustees Act sections 17,18 and 19, provided that sufficient working funds are retained at all times with conditions as per policy number 272.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Finance Committee
Reference:	Section 6.14(1) Local Government Act 1995 Local Government Act 1995 (Section 5.16,5.17,5.18) Trustees Act sections 17,18 and 19 Investment Policy

3008 COUNCIL PURCHASING AUTHORITY	
Function to be performed:	The CEO is authorised to carry out authorised purchasing on behalf of the Shire and within budgetary constraints and in accordance with the Shire of Perenjori Purchasing Policy.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Section 5.42 Local Government Act 1995 Section 5.44 Local Government Act 1995 Purchasing Policy

3009 MUNICIPAL FUND ACCOUNTING	
Function to be performed:	The CEO is delegated authority to ensure that all money and the value of all assets received or receivable by a local government are held and brought to account in its municipal fund unless otherwise required by the Local Government Act 1995 or any other written law to be held in the trust fund.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Section 6.7(1) Local Government Act 1995

3010 APPLICATION OF MUNICIPAL ACCOUNT FUNDS	
Function to be performed:	The CEO is delegated authority to ensure that money held in the municipal fund be applied towards the performance of the functions and the exercise of the powers conferred on the local government by this Act or any other written law.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Section 6.7(2) Local Government Act 1995

3011 REFERRAL OF DISPUTE WITH CBH TO MINISTER	
Function to be performed:	If Co-operative Bulk Handling Ltd and the Shire cannot reach an agreement, under section 6.26(2)(i) of the Local Government Act 1995, the CEO is delegated authority to refer the matter to the Minister for determination.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Section 6.26(3) Local Government Act 1995

3012 AUTHORITY TO WAIVE, GRANT DISCOUNTS, DEFER OR WRITE OFF DEBTS	
Function to be performed:	<p>The CEO is delegated authority to;</p> <ol style="list-style-type: none"> 1. To waive or grant concessions in relation to any amount of money (Does not apply to rates and service charges); or 2. Write off any amount of money owed to the City; 3. Determine conditions to be imposed when granting concessions. <p>The limit of authority to the CEO is \$300.</p>
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Section 6.12(1)(b), (1) (c) and (3) Local Government Act 1995

3013 EXPENSE REIMBURSEMENTS	
3013.1 PRESCRIBED EXPENSE REIMBURSEMENTS TO ELECTED MEMBERS	
Function to be performed:	<p>The CEO is delegated authority to;</p> <ol style="list-style-type: none"> 1. To reimburse a council member who incurs an expense of a kind prescribed as being an expense- <ol style="list-style-type: none"> a) To be reimbursed by all local governments; or which may be approved for reimbursement b) Is entitled to be reimbursed for the expense in accordance with subsection (3). 2. The local Government may approve reimbursement of an expense either generally or in a particular case. <p>Local Government Act (Administration Regulations)1996 32. (1) (a)- (c) Expenses that may be approved for reimbursement.</p>
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Section 5.98 (2) and Section 5.98 (4) Local Government Act 1995

3013.3 APPROVED EXPENSE REIMBURSEMENTS TO NON-COUNCIL MEMBERS OF COMMITTEES	
Function to be performed:	The CEO is delegated authority to approve of reimbursement of expenses of committee members who are not Council members.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Section 5.100(2) Local Government Act 1995
3013.4 EXPENSE REIMBURSEMENTS TO EMPLOYEES	
Function to be performed:	The CEO is delegated authority to approve reimbursements of employee expenses.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Section 5.101(2) Local Government Act 1995
3013.5 REIMBURSEMENTS- CASH ADVANCE	
Function to be performed:	The CEO is delegated authority to approve a cash advance in relation to an expense that may be reimbursed.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Section 5.102 Local Government Act 1995

16.3.1 MINOR COMMUNITY GRANTS FUND DELEGATION	
Function to be performed:	<p>The CEO is delegated authority to;</p> <ol style="list-style-type: none"> 1. approve standard funding requests to the value of \$500 within the scope of the global community grant funding budget established in the annual Council budget. 2. A quarterly report be presented to the Council detailing the grants made under the delegation. <p>The limit of authority to the CEO is \$500.</p>
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Section 6.12(1)(b), (1) (c) and (3) Local Government Act 1995

4000 – BUSH FIRE CONTROL

4001 FIREBREAK ORDER, VARIATION TO	
Function to be performed:	<p>Pursuant to the provisions of Council's Firebreak Order, the CEO and Chief Bushfire Control Officer are delegated joint authority to vary the requirements for the construction of firebreaks, the restricted burning period, and the issue of permits for burning on land within the Shire of Perenjori.</p> <p>The CEO in exercising this delegation is to liaise with the Chief Bush Fire Control Officer on each specific variation request.</p>
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	<p>Bush Fires Act, 1954 s48</p> <p>Section 5.44 Local Government Act 1995</p>

4002 BURNING OF ROADSIDES	
Function to be performed:	The CEO is delegated authority to approve applications submitted by the relevant Fire Control Officer to burn a road verge vested in the care, control and management of the Shire of Perenjori.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	<p>Chief Executive Officer</p> <p>Chief Bush Fire Control Officer</p>
Reference:	<p>Bush Fires Act, 1954; Activities on Thoroughfares & Trading in Thoroughfares and Public Places local Law; Environmental Protection Act 1986; Environmental Protection (Clearing of Native Vegetation) Regulations 2004;</p> <p>Section 5.44 Local Government Act 1995</p>

5000 – HEALTH & BUILDING

5001 CARAVAN PARK AND CAMPING GROUNDS	
Function to be performed:	The CEO is authorised to carry out the provisions of the Caravan Park and Camping Grounds Act 1995 and Caravan Parks and Camping Grounds Regulations 1997.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Caravan Park & Camping Grounds Act 1995 & Caravan Parks and Camping Grounds Regulations 1997.

5002 TREATMENT OF SEWAGE AND DISPOSAL OF EFFLUENT AND LIQUID WASTE	
Function to be performed:	The CEO is authorised to carry out the provisions of the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Health Act 1911, Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974

5003 PRIVATE SWIMMING POOLS	
Function to be performed:	<ol style="list-style-type: none"> 1 Approve alternative requirements to r. 50(4)(b) of the Building Regulations 2012 (the Regulations) if satisfied that the alternative requirements will restrict access by young children to the swimming pool as effectively as if there were compliance with Australian Standard AS 1926.1 [r.51(2) of the Regulations] 2 Approve a door for the purposes of r.50(4)(c)(ii) of the Regulations if the door is in accordance with the requirements of Australian Standard AS 1926.1 and the conditions in r.51(3) are satisfied [r.51(3) of the Regulations] 3 Arrange for an authorised person to inspect the enclosures of private swimming pools in the district at intervals of no more than 4 years for the purpose of monitoring whether the provisions in rr.50 and 52 the Regulations are complied with [rr.50, 52 and 53(1) of the Regulations].
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Local Government Act 1995 Building Regulations 2012 rr.51 and 53

5004 DELEGATIONS UNDER BUILDING ACT 2011	
Function to be performed:	<p>The Chief Executive Officer is delegated the authority to exercise and discharge all or any of the powers and functions of the permit authority in regard to the following sections of the Building Act 2011:</p> <p>S17- Uncertified application to be considered by building surveyor</p> <p>S18 - Require further information from applicant</p> <p>S20 – Authority to grant or refuse to grant building permits;</p> <p>S21 – Authority to grant or refuse to grant demolition permits;</p> <p>S22 – Authority to grant or refuse building or demolition permits if</p> <p>There appears to be an error in the documents or information provided in the application;</p> <p>If an application is inconsistent with;</p> <ul style="list-style-type: none"> a) A function that the permit authority has underwritten law or; b) An agreement between the permit authority and the applicant. <p>S27 - Conditions imposed by permit authority</p> <p>S32 – Extension of time during which a permit has effect.</p> <p>S58 – Authority to grant, modify or refuse to grant an Occupancy Permits or Building Approval Certificates.</p> <p>S65 – Authority to extend the periods of which the Occupancy Permit or modification or the Building Approval Certificate has effect.</p> <p>S96 – Authorise persons for the purpose of the Building Act 2011.</p> <p>S110 – Authority to issue Building Orders.</p> <p>S117 – Authority to revoke Building Orders.</p> <p>S139 – Authority to commence prosecution.</p> <p>S145A – Issue certificates</p>
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	<p>Building Act 2011</p> <p>Section 5.36 & 5.44 Local Government Act 1995</p>

**5005
1995**

ISSUING NOTICES (SECTION 3.25) OF THE LOCAL GOVERNMENT ACT

Function to be performed:	The CEO is authorised to; give a person who is the owner or, unless Schedule 3.1 (of the Local Government Act 1995) indicates otherwise, the occupier of land a notice in writing relating to the land requiring the person to do anything specified in the notice that – (a) is prescribed in Schedule 3.1, Division 1; or (b) is for the purpose of remedying or mitigating the effects of any offence against a provision prescribed in Schedule 3.1, Division 2.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Local Government Act 1995 Schedule 3.25.

6000 – ANIMAL CONTROL

6001 ENFORCEMENT OF DOG ACT AND LOCAL LAWS	
Function to be performed:	<p>Enforcement of the provisions of the Dog Act 1976, subsidiary legislation and Dog Local Laws is delegated to the CEO.</p> <p>Court proceedings will be instituted administratively, with the provision that legal advice be obtained if necessary.</p> <p>By providing this delegation the local government expressly authorises the chief executive officer to further delegate the power or duty.</p>
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	<p>Local Government Act 1995</p> <p>10AA Dog Act 1976</p>

6002 ENFORCEMENT OF CAT ACT 2011	
Function to be performed:	<p>Enforcement of the provisions of the Cat Act 2011 and subsidiary legislation and Cat Local Laws is delegated to the CEO.</p> <p>Court proceedings will be instituted administratively, with the provision that legal advice be obtained if necessary.</p> <p>The CEO is authorised to make such arrangements as is considered necessary for staff, temporary, part-time or otherwise, to effectively administer the Cat Act 2011, within the limitations of the adopted Annual Budget.</p> <p>The CEO is authorised to delegate employees of the local government to carry out certain functions of the Cat Act 2011.</p>
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	<p>Local Government Act 1995</p> <p>S44 Cat Act 2011</p> <p>Cat Regulations 2012</p>

7000 – PLANNING

7001 SHIRE OF PERENJORI PLANNING SCHEME NO. 2	
Function to be performed:	The CEO is delegated authority to exercise all powers and duties under the Shire of Perenjori Local Planning Scheme No. 2.
Power or Duty Assigned:	Local Government
Power to Delegate:	Yes
Delegation Recommended:	Yes
Delegation to:	Chief Executive Officer
Reference:	Planning and Development Act 2005 Schedule 2, Part 10, Clause 82 Planning and Development (Local Planning Schemes) Regulations 2015

7002 PLANNING AND DEVELOPMENT ACT 2005 – OTHER DELEGATIONS																			
Function to be performed:	<table border="0"> <tr> <td>Subdivision Recommendations</td> <td>Authority to Progress</td> </tr> <tr> <td>Subdivision Clearances</td> <td>Authority to Approve</td> </tr> <tr> <td>Public Works Planning Applications</td> <td>Authority to Progress</td> </tr> <tr> <td>Clause 32 Planning Applications</td> <td>Authority to Progress</td> </tr> <tr> <td>Licensed Premises Applications</td> <td>Authority to Approve</td> </tr> <tr> <td>Notices</td> <td>Authority to Issue</td> </tr> <tr> <td>Street Naming</td> <td>Authority to Approve</td> </tr> <tr> <td>(As per the attachment)</td> <td></td> </tr> <tr> <td>Built Strata Subdivision Applications</td> <td>Authority to Approve</td> </tr> </table>	Subdivision Recommendations	Authority to Progress	Subdivision Clearances	Authority to Approve	Public Works Planning Applications	Authority to Progress	Clause 32 Planning Applications	Authority to Progress	Licensed Premises Applications	Authority to Approve	Notices	Authority to Issue	Street Naming	Authority to Approve	(As per the attachment)		Built Strata Subdivision Applications	Authority to Approve
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Power to Delegate:	Yes																		
Delegation Recommended:	Yes																		
Delegation to:	Chief Executive Officer																		
Reference:	Planning and Development Act 2005 Schedule 2, Part 10, Clause 82 Planning and Development (Local Planning Schemes) Regulations 2015																		

1). SUBDIVISION RECOMMENDATIONS

FUNCTIONS DELEGATED

The authority to make the following recommendations to the Western Australian Planning Commission (WAPC) in respect to any application to subdivide, strata subdivide or amalgamate land in the district:

- (a) To support an application to subdivide, strata subdivide or amalgamate land with or without conditions where the proposal is generally in conformity with TPS2, Residential Design Codes, Rural Land Strategy, City Planning Policy, Comprehensive Development Plan, Structure Plan, Integrated Development Guide Plan, Local Development Plan, Subdivision Guide Plan or Rural Concept Plan which has been approved by the Council as the basis for the subdivision of a defined area or precinct, subject to the imposition of the following:
 - (i) appropriate requirements and specifications under TPS2 and any applicable City Planning Policy;
 - (ii) any applicable conditions as set out under the City's 'Planning Procedure No. 1.1.3 – Model Subdivision Conditions Schedule for Subdivision Applications.
 - (iii) any other relevant non-standard conditions, subject to the criteria having regard to the subdivision design matters, land use matters, landscape matters and site planning and amenity issues.
- (b) To refuse to support an application to subdivide, strata subdivide or amalgamate land where the proposal is contrary to TPS2, Residential Design Codes, Rural Land Strategy, City Planning Policy, Comprehensive Development Plan, Structure Plan, Integrated Development Guide Plan, Local Development Plan, Subdivision Guide Plan or Rural Concept Plan.

2) SUBDIVISION CLEARANCES

FUNCTIONS DELEGATED

The authority to issue a letter in support for subdivision clearance to the WAPC in respect to any application to subdivide or amalgamate land in the district, subject to the following conditions:

- (a) Subdivision condition(s) imposed must be relevant to the City.
- (b) The subdivision condition(s) must be fulfilled in accordance with all the Local Government conditions specified on the WAPC approval, to the satisfaction of the delegate, and the clearance advice is to be signed by the delegate.
- (c) In the event of a dispute between the delegate and the applicant on the measures required to satisfy a condition, the matter must be referred to the WAPC for clearance, together with the City's advice on the matter.

3). BUILT STRATA SUBDIVISION APPLICATIONS

FUNCTIONS DELEGATED

The authority to determine applications for approval to subdivide land subject to built strata plan submitted under section 25 of the Strata Titles Act 1985. These applications relate to a strata plan for existing dwellings or buildings (or a building which is proposed to be constructed).

4). PUBLIC WORKS PLANNING APPLICATIONS

FUNCTIONS DELEGATED

The authority to make recommendations as deemed appropriate to the WAPC in respect of applications for the development of land referred to the City by public authorities for public works under the Metropolitan Region Scheme.

5). CLAUSE 32 PLANNING APPLICATIONS

FUNCTIONS DELEGATED

The authority to make recommendations as deemed appropriate to the WAPC in respect of applications for the use or development of land, which is of a type or in a locality the subject of a WAPC Notice of Clause 32 Declaration pursuant to the Metropolitan Region Scheme.

6). LIQUOR LICENCE APPLICATIONS

FUNCTIONS DELEGATED

The granting of a Section 40 Certificate under the Liquor Control Act 1988, with or without conditions for all liquor licence applications.

7). STREET NAMING

FUNCTIONS DELEGATED

The authority to approve street names that are consistent with an approved street naming theme.

8). NOTICES

FUNCTIONS DELEGATED

(1) Notice Requiring Certain Things to be Done by Owner or Occupier of Land

The determination under section 3.25(1)(a) of the Local Government Act 1995 whether to give a person a notice referred to in that section.

(2) Additional Powers when Notice Given

- (a) The determination under section 3.26(2) of the Local Government Act 1995 whether to do anything that it considers necessary as referred to in that section.**
- (b) The determination under section 3.26(3) of the Local Government Act 1995 whether to recover costs as referred to in that section.**