



DELEGATIONS REGISTER

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Contents

Delegation 1.0	Delegation of Powers and Duties to the CEO	3
Delegation 1.1	Appointment of Authorised Persons	4
Delegation 1.2	Control and Management of Unvested Facilities Across Two or More Districts	5
Delegation 1.3	Ability to Require Property Owners or Occupiers of Land to take Action/s	6
Delegation 1.4	Inviting Tenders	7
Delegation 1.5	Expressions of Interest Prior to Calling Tenders	8
Delegation 1.6	Minor Variations to Tenders	9
Delegation 1.7	Disposition of Property	10
Delegation 1.8	Disposal of Surplus Equipment, Materials, Tools etc	11
Delegation 1.9	Grant Discounts, Waive or Refund Fees and Charges, Write Off of Minor Debts	12
Delegation 1.10	Donations	13
Delegation 1.11	Contribution to Site Works - DELETED	14
Delegation 1.12	Employee Relocation Expenses	15
Delegation 1.13	Thoroughfares – Temporary Closure	16
Delegation 1.14	Disposing of Confiscated or Uncollected Goods	17
Delegation 1.15	Consumption of Alcohol – Council Property	18
Delegation 1.16	Food Act – Prohibition Orders	19
Delegation 1.17	Food Act – Registration of a Food Business	20
Delegation 1.18	Food Act – Debt Recovery and Prosecutions	21
Delegation 1.19	Cat Act – Administration and Enforcement	22
Delegation 1.20	Dog Act – Administration and Enforcement	23
Delegation 1.21	Planning Delegation – Development Applications	24
Delegation 1.22	Building Delegation – Approval of Plans	25
Delegation 1.23	Bush Fire	26
Delegation 1.24	Advice to Department of Planning Lands and Heritage Regarding Matters Associated with the Land Administration Act 1997	27
Delegation 1.25	Compensation for Damage	28
Delegation 1.26	Impounding of Goods	29
Delegation 1.27	Arrangements for Payment of Rates and Service Charges	30
Delegation 1.28	Private Works in Public Places	31
Delegation 1.29	Appointment of Acting Chief Executive Officer	32
Delegation 1.30	Investments	33
Delegation 1.31	Minor Amendments to Delegation Register and Policies	34
Delegation 1.32	Payments From Municipal or Trust Funds	35
Delegation 1.33	Temporary Works Exemptions	36
Delegation 1.33	Exemption on Planning Approval for Temporary Works	36

Delegation 1.0 Delegation of Powers and Duties to the CEO	
Function Delegated:	General delegation of authority to deal with matters which refer to a local government. This delegation provides the authority to undertake the administrative tasks that a local government is required to do. Excluding those functions set out in s5.43 of the Local Government Act 1995.
Statutory Power Being Delegated:	Functions of the: Local Government Act 1995 Local Government (Administration) Regulations 1996 Local Government (Audit) Regulations 1996 Local Government (Constitution) Regulations 1998 Local Government (Elections) Regulations 1997 Local Government (Financial Management) Regulations 1996 Local Government (Functions and General) Regulations 1996 Local Government (Long Service Leave) Regulations Local Government (Uniform Local Government Provisions) Regulations Local Government (Miscellaneous Provisions) Act 1960 Dog Act 1976 and Regulations (s9) Cat Act 2011 and Regulations (s45) Caravan and Camping Grounds Act 1995 and Regulations (s17) Bush Fires Act 1954 and Regulations Note this is not an exclusive or exhaustive list.
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	Local Government Act 1995 s5.41 Functions of CEO s5.42 Delegation of some powers and duties to the CEO s5.43 Limits on delegations to CEO
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	Nil
Statutory Power to Sub Delegate	Local Government Act 1995 s5.44 CEO may delegate powers and duties to other employees
CEO Sub Delegation to:	Manager of Works Manager of Finance and Administration
CEO Conditions on Sub-delegation:	Bush Fires Act 1954 (s48[3]) - No power in the Bush Fire Act can be sub-delegated. Local Government Act 1995 (s5.43) limitations on delegation.
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty.
Compliance Links:	Local Government Act 1995 (s5.41,s5.42, s5.43, s5.44)
Council Policy Link:	Governance 1.0
Strategic Plan Link:	Strategic Community Plan 4.1
Delegation Administration:	This delegation is to be reviewed annually s5.46(2)
Decision / Reference:	
Adopted 19 April 2023	Motion

Delegation 1.1 Appointment of Authorised Persons	
Function Delegated:	The local government may appoint persons or classes of persons to be authorised to perform certain functions and must issue them with a certificate stating they are authorised.
Statutory Power Being Delegated:	Local Government Act 1995 s9.10[1, 2]
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	Local Government Act 1995 s5.42 Delegations of some powers and duties to the CEO s5.43 Limitations to delegations s9.10 [1,2]
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	Authorised Officers must have certificate of authorisation
Statutory Power to Sub Delegate	Local Government Act 1995 s5.44 CEO may delegate powers and duties to others s9.10 Appointment of Authorised persons
CEO Sub Delegation to:	Manager of Works Manager of Finance and Administration
CEO Conditions on Sub-delegation:	Managers and other Authorised officers may act upon statutory authorisation relating to Local Government excluding s9.29 represent local government in Court
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
Compliance Links:	Local Government Act 1995 s9.10[1,2] Shire of Cranbrook Authorisations Register
Council Policy Link:	Nil
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference:	
Adopted 19 April 2023	Motion

Delegation 1.2 Control and Management of Unvested Facilities Across Two or More Districts	
Function Delegated:	If an unvested facility lies within two (2) or more districts, the local governments concerned can agree on its control and management.
Statutory Power Being Delegated:	Local Government Act 1995 (s3.53[3])
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	Local Government Act 1995 s5.42 Delegations of some powers and duties to the CEO
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	Nil
Statutory Power to Sub Delegate	Local Government Act 1995 s5.44 CEO may delegate powers and duties to others
CEO Sub Delegation to:	Nil
CEO Conditions on Sub-delegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
Compliance Links:	Local Government Act 1995
Council Policy Link:	Nil
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference:	
Adopted 19 April 2023	Motion

Delegation 1.3 Ability to Require Property Owners or Occupiers of Land to take Action/s	
Function Delegated:	A local government may give an owner or occupier of land a notice requiring them to do something to the land if it is specified in schedule 3.1 or other sections of the act. The local government must inform the owner, if the occupier is not the owner.
Statutory Power Being Delegated:	Local Government Act 1995 (s3.24), (s3.25[1],[3]), (s3.36), Schedule 3.1
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	Local Government Act 1995 s5.42 Delegations of some powers and duties to the CEO
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	As specified in Schedule 3.1
Statutory Power to Sub Delegate	Local Government Act 1995 (s5.44) CEO may delegate some powers and duties to other employees
CEO Sub Delegation to:	Manager of Works Manager of Finance and Administration Ranger
CEO Conditions on Sub-delegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
Compliance Links:	Local Government Act 1995 Schedule 3.1
Council Policy Link:	Nil
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference:	
Adopted 19 April 2023	Motion

Delegation 1.4 Inviting Tenders

Function Delegated:	The requirement to invite tenders before entering into a contract for goods and services with a value of over \$250,00. Tenders do not have to be publicly invited according to the requirements, if the supply of the goods or services is to be obtained through the Council Purchasing Service of WALGA.
Statutory Power Being Delegated:	Local Government Act 1995 (s3.57 [1]) Local Government (Functions and General) Regulations (r11 [1],r14 [4c])
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	Local Government Act 1995 s5.42 Delegations of some powers and duties to the CEO
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	Tenders must be called for the purchase of all goods over \$250,000 unless WALGA Council Purchasing Services are utilised which removes the requirement to Tender All tenders are to be approved by Council Tender documents must determine in writing the criteria for accepting tenders That tenders are for items approved in the budget
Statutory Power to Sub Delegate:	Local Government Act 1995 S5.44 CEO may delegate powers and duties to others
CEO Sub Delegation to:	Manager of Works Manager of Finance and Administration
CEO Conditions on Sub-delegation:	Sub-delegated Managers may call for tenders
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
Compliance Links:	Local Government Act 1995 s3.57 Local Government (Functions and General) Regulations 1996 r11 (1) and (2b), r14(4c)
Council Policy Link:	Purchasing Policy 4.8
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference:	
Adopted 19 April 2023	Motion

Delegation 1.5 Expressions of Interest Prior to Calling Tenders	
Function Delegated:	The local government may seek expressions of interest before entering the tender process.
Statutory Power Being Delegated:	Local Government Act 1995 (s3.57 [1]) Local Government (Functions and General) Regulations (r21 [1,2,3,4]) r22
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	Local Government Act 1995 s5.42 Delegations of some powers and duties to the CEO
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	If the local government thinks that there is a good reason to make a preliminary selection from prospective tenderers it may seek expressions of interest. There is good reason to make preliminary selection if, because of; <ul style="list-style-type: none"> a) The nature of the goods or services required; or b) The cost of preparing plans, specifications or other information for the purpose of adequately describing the goods or services required, it would be advantageous to the local government if tenders were only invited from persons it considers capable of satisfactorily supplying the goods or services. *Statewide public notice must be given. Refer r21.4
Statutory Power to Sub Delegate:	Local Government Act 1995 s5.44 CEO may delegate powers and duties to others
CEO Sub Delegation to:	Manager of Works Manager of Finance and Administration
CEO Conditions on Sub-delegation:	Sub-delegated Managers may call for expressions of interest.
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty.
Compliance Links:	Local Government Act 1995 s3.57 Local Government (Functions and General) Regulations 1996 r11 (1) and (2b), r14(4c)
Council Policy Link:	Purchasing Policy 4.8
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference:	
Adopted 19 April 2023	Motion

Delegation 1.6 Minor Variations to Tenders	
Function Delegated:	The local government may, with the approval of the tenderer, make a minor variation in a contract for goods or services before it enters into the contract with the successful tenderer, without having to tender again.
Statutory Power Being Delegated:	Local Government Act 1995 (s3.57 [1]) Local Government (Functions and General) Regulations r20[1,2,3]
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	Local Government Act 1995 s5.42 Delegations of some powers and duties to the CEO
Power Delegated to:	Chief Executive Officer (CEO)
Council Conditions on Delegation:	The variation costs must be within the budget allocation. Any increased costs will require Council approval
Statutory Power to Sub Delegate:	Local Government Act 1995 s5.44 CEO may delegate powers and duties to others
CEO Sub Delegation to:	Manager of Works Manager of Finance and Administration
CEO Conditions on Sub-delegation:	All minor variations are to be approved by the Chief Executive Officer
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty.
Compliance Links:	Local Government Act 1995 s.3.57 Local Government (Functions and General) Regulations 1996 r.20
Council Policy Link:	Purchasing Policy 4.8
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference:	
Adopted 19 April 2023	Motion

Delegation 1.7 Disposition of Property	
Function Delegated:	Disposition of property (other than land) is an exempt disposition if its market value is less than \$20,000 or where the entire consideration received by the local government is used to purchase other property and the total consideration paid is not more than \$75,000.
Statutory Power Being Delegated:	Local Government Act 1995 (s3.58 [3],[5d]) Local Government (Functions and General) Regulations r30, [3a, b]
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	Local Government Act 1995 s5.42 Delegations of some powers and duties to the CEO s5.43 Limitations to delegations
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	Subject to s5.43(d) of the Local Government Act 1995 and r30, (3a, b) of the Regulations, the CEO can dispose of property (other than land) to a maximum value of \$20,000 or where the entire consideration received by the Shire is used to purchase other property (trade-in) and the total consideration paid is not more than \$75,000. All disposal of property in excess of this level is to be approved by the Council subject to s3.58 of the Local Government Act of 1995
Statutory Power to Sub Delegate	Local Government Act 1995 s5.44 CEO may delegate powers and duties to others
CEO Sub Delegation to:	Manager of Works Manager of Finance and Administration
CEO Conditions on Sub-delegation:	For the sale of plant and equipment within budget allocation.
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
Compliance Links:	Local Government Act 1995
Council Policy Link:	Asset Management 4.9
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference:	
Adopted 19 April 2023	Motion

Delegation 1.8 Disposal of Surplus Equipment, Materials, Tools etc.	
Function Delegated:	The authority to sell by calling for expressions of interest, holding a sale, or any other fair means, items of equipment, materials, tools etc. which are no longer required, or are outmoded or no longer serviceable.
Statutory Power Being Delegated:	Local Government Act 1995 s3.58[3]
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	Local Government Act 1995 s5.42 Delegations of some powers and duties to the CEO s5.43 Limitations to delegations
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	The disposal of all surplus equipment, materials, tools etc, must not exceed a value of \$5,000 per unit. All matters in excess of \$5,000 per unit require authorisation by Council.
Statutory Power to Sub Delegate	Local Government Act 1995 s5.44 CEO may delegate powers and duties to others
CEO Sub Delegation to:	Nil
CEO Conditions on Sub-delegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
Compliance Links:	Local Government Act 1995 s3.18(c) and s3.58
Council Policy Link:	Nil
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference:	
Adopted 19 April 2023	Motion

Delegation 1.9 Grant Discounts, Waive or Refund Fees and Charges, Write Off of Minor Debts	
Function Delegated:	Grant concessions in relation to fees, levies or charges adopted by Council for the use of its facilities. The authority to write off debts
Statutory Power Being Delegated:	Local Government Act 1995 s6.12 (1) (b) and s6.12 (1) (c)
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	Local Government Act 1995 s5.42 Delegations of some powers and duties to the CEO s5.43 Limitations to delegations
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	The maximum concession or discount to given on any adopted fee or charge is to be 30%. The reason for granting any discount or concession, the percentage and the length of time applicable for must be recorded in writing. Any discount or concession may only be applied for a maximum of one year at a time to allow annual review. The writing off of rates and sundry debts to the value of \$200.00 where all necessary and appropriate measure have been taken to recover the debt.
Statutory Power to Sub Delegate	Local Government Act 1995 s5.44 CEO may delegate powers and duties to others
CEO Sub Delegation to:	Manager of Finance and Administration
CEO Conditions on Sub-delegation:	The writing off of rates and sundry debts to the value of \$200.00
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
Compliance Links:	Local Government Act 1995 s5.41,s5.42,s5.43
Council Policy Link:	4.12 Fees and Charges Application 4.5 Rates, Sundry Debtors and Charges, Write Offs
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference:	
Adopted 19 April 2023	Motion

Delegation 1.10 Donations	
Function Delegated:	The ability to make community donations.
Statutory Power Being Delegated:	Local Government Act 1995 s6.10 FM Regulation 12.1 (a)
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	Local Government Act 1995 s5.42 Delegations of some powers and duties to the CEO s5.43 Limitations to delegations
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	Maximum limit of \$500 per donation Donations are subject to budget availability Annual expenditure not to exceed the amount designated in the annual budget
Statutory Power to Sub Delegate	Local Government Act 1995 s5.44 CEO may delegate powers and duties to others
CEO Sub Delegation to:	Nil
CEO Conditions on Sub-delegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
Compliance Links:	Local Government Act 1995
Council Policy Link:	Nil
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference:	
Adopted 19 April 2023	Motion

Delegation 1.11 Contribution to Site Works - DELETED	
Function Delegated:	The ability to approve and application for contribution to site works as per policy Economic 8.0.
Statutory Power Being Delegated:	Local Government Act 1995 s6.10 FM Regulation 12.1 (a)
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	Local Government Act 1995 s5.42 Delegations of some powers and duties to the CEO s5.43 Limitations to delegations
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	Maximum limit of \$2000 site works contribution. Donations are subject to budget availability Annual expenditure not to exceed the amount designated in the annual budget as per policy Site Works 8.0
Statutory Power to Sub Delegate	Local Government Act 1995 s5.44 CEO may delegate powers and duties to others
CEO Sub Delegation to:	Nil
CEO Conditions on Sub-delegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
Compliance Links:	Local Government Act 1995
Council Policy Link:	8.0 Site Works
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference:	
Adopted 15 September 2021	Motion 04092021

Delegation 1.12 Employee Relocation Expenses	
Function Delegated:	The ability to authorise the payment of relocation expenses for employees
Statutory Power Being Delegated:	Local Government Act 1995 Local Government Act 1995 s6.10 FM Regulation 12.1 (a)
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	Local Government Act 1995 s5.42 Delegations of some powers and duties to the CEO s5.43 Limitations to delegations
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	May not authorise relocation expenses for the position of CEO Expenses for the CEO must be approved by the Council Expenses for employees to a total of 50% of the relocation expense, to a total value of \$500 can be authorised by the CEO This does not apply to Managers who are covered by contract conditions
Statutory Power to Sub Delegate	Local Government Act 1995 s5.44 CEO may delegate powers and duties to others
CEO Sub Delegation to:	Nil
CEO Conditions on Sub-delegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
Compliance Links:	Local Government Act 1995 s.5.41
Council Policy Link:	2.14 Employee Relocation Expenses
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference:	
Adopted 19 April 2023	Motion

Delegation 1.13 Thoroughfares – Temporary Closure	
Function Delegated:	A local government may close any thoroughfare that it manages to the passage of vehicles, wholly or partially, for a period not exceeding 4 weeks.
Statutory Power Being Delegated:	Local Government Act 1995, s3.50, s3.50A s3.51 Affected owners to be notified of certain proposals
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	Local Government Act 1995 s5.42 Delegations of some powers and duties to the CEO s5.43 Limitations to delegations
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	Nil
Statutory Power to Sub Delegate	Local Government Act 1995 s5.44 CEO may delegate powers and duties to others
CEO Sub Delegation to:	Manager of Works
CEO Conditions on Sub-delegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
Compliance Links:	Local Government Act 1995
Council Policy Link:	5.2 Thoroughfares Temporary Closure
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference:	
Adopted 19 April 2023	Motion

Delegation 1.14 Disposing of Confiscated or Uncollected Goods	
Function Delegated:	The local government may sell or otherwise dispose of impounded goods that have not been collected within the period specified in subsection 2a and 2b.
Statutory Power Being Delegated:	Local Government Act 1995, s3.46 Goods may be withheld until costs paid s3.47 Confiscated or uncollected goods, disposal of s3.48 Impounding expenses, recovery of
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	Local Government Act 1995 s5.42 Delegations of some powers and duties to the CEO s5.43 Limitations to delegations
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	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.
Statutory Power to Sub Delegate	Local Government Act 1995 s5.44 CEO may delegate powers and duties to others
CEO Sub Delegation to:	Manager of Works Manager of Finance and Administration
CEO Conditions on Sub-delegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
Compliance Links:	Local Government Act 1995 s.3.47
Council Policy Link:	Nil
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference:	
Adopted 19 April 2023	Motion

Delegation 1.15 Consumption of Alcohol – Council Property	
Function Delegated:	The CEO is delegated the authority to approve applications for the consumption of liquor from property under the care, control and management of the Council
Statutory Power Being Delegated:	Local Government Act 1995, s.3.18
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	Local Government Act 1995 s.5.42 Delegations of some powers and duties to the CEO s.5.43 Limitations to delegations
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	The Chief Executive Officer can approve the consumption of alcohol on Council premises, and must ensure that the applicant is aware of their requirements under state legislation and compliance with Council policy on using a Council Facility
Statutory Power to Sub Delegate	Nil
CEO Sub Delegation to:	Nil
CEO Conditions on Sub-delegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
Compliance Links:	Local Government Act 1995
Council Policy Link:	Nil
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference:	
Adopted 19 April 2023	Motion 04092021

Delegation 1.16 Food Act – Prohibition Orders	
Function Delegated:	<ul style="list-style-type: none"> • Serve Prohibition Order on food business • Issue Certification of Clearance • Reinspect a food business
Statutory Power Being Delegated:	Food Act 2008 s65(1) Prohibition Order s66 Certificate of Clearance s67(4) Request for reinspection.
Power is Originally Assigned to:	Local Government (enforcement agency)
Statutory Power of Delegation:	Food Act 2008 s.118(2)(b) Local Government (enforcement agency) may delegate a function conferred on it s.118(3) Delegation is subject to conditions [s.119] and guidelines adopted (s.120) s.118(4) Sub delegation only permissible if expressly provided in regulations
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	Nil
Statutory Power to Sub Delegate	s.118(4) Sub delegation only permissible if expressly provided in regulations
CEO Sub Delegation to:	Environmental Health Officer
CEO Conditions on Sub-delegation:	In accordance with s118(3)(b), this delegation is subject to relevant Dept of Health CEO guidelines as amended from time to time.
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
Compliance Links:	Food Act 2008 Local Government Act 1995
Council Policy Link:	Nil
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference:	
Adopted 19 April 2023	Motion

Delegation 1.17 Food Act – Registration of a Food Business	
Function Delegated:	<ul style="list-style-type: none"> • Register a food business • Grant or refuse application for a food business • Vary the conditions or cancel the registration of a food business
Statutory Power Being Delegated:	Food Act 2008 s110 (1) and (5) Registration of a Food Business s112 Variation of conditions or cancellation of registration of food businesses.
Power is Originally Assigned to:	Local Government (Enforcement Agency)
Statutory Power of Delegation:	Food Act 2008 s118(2)(b) Local Government (Enforcement Agency) may delegate a function conferred on it s118(3) Delegation is subject to conditions [s119] and guidelines adopted (s120) s118(4) Sub delegation only permissible if expressly provided in regulations.
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	In accordance with s118(3)(b), this delegation is subject to relevant Dept of Health CEO guidelines as amended from time to time.
Statutory Power to Sub Delegate	s118(4) Sub delegation only permissible if expressly provided in regulations
CEO Sub Delegation to:	Environmental Health Officer
CEO Conditions on Sub-delegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
Compliance Links:	Food Act 2008 Food Regulations 2009 Local Government Act 1995
Council Policy Link:	Nil
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference:	
Adopted 19 April 2023	Motion

Delegation 1.18 Food Act – Debt Recovery and Prosecutions	
Function Delegated:	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). Authority to institute proceedings for an offence under the Food Act 2008 [s.125].
Statutory Power Being Delegated:	Food Act 2008 s.54 Cost of destruction or disposal of forfeited item s.125 Institution of proceedings
Power is Originally Assigned to:	Local Government (enforcement agency)
Statutory Power of Delegation:	Food Act 2008 s118(2)(b) Local Government (Enforcement Agency) may delegate a function conferred on it s118(3) Delegation is subject to conditions [s119] and guidelines adopted (s120) s118(4) Sub delegation only permissible if expressly provided in regulations
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	In accordance with s118(3)(b), this delegation is subject to relevant Dept of Health CEO guidelines as amended from time to time.
Statutory Power to Sub Delegate	s118(4) Sub delegation only permissible if expressly provided in regulations
CEO Sub Delegation to:	Environmental Health Officer
CEO Conditions on Sub-delegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
Compliance Links:	Food Act 2008 Food Regulations 2009 Local Government Act 1995
Council Policy Link:	Nil
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference:	
Adopted 19 April 2023	Motion

Delegation 1.19 Cat Act – Administration and Enforcement	
Function Delegated:	The local government may delegate to its CEO the exercise of any of its powers or the discharge of any of its duties under another provision of the Cat Act.
Statutory Power Being Delegated:	Cat Act 2011 s45
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	Cat Act 2011 s44
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	The Chief Executive Officer will issue certificates of authorisation to authorised officers.
Statutory Power to Sub Delegate	Cat Act 2011, s45
CEO Sub Delegation to:	Manager of Works Manager of Finance and Administration Ranger Works Supervisor
CEO Conditions on Sub-delegation:	Sections 63, 64, 65 of the Cat Act 2011 cannot be delegated to the Authorised Officers and remain with the CEO
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
Compliance Links:	Local Government Act 1995 Cat Act 2011
Council Policy Link:	Nil
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference:	
Adopted 19 April 2023	Motion

Delegation 1.20 Dog Act – Administration and Enforcement	
Function Delegated:	It shall be the duty of the local government within its district to administer and enforce the provisions of this Act. A person who is authorised by the Dog Act shall be furnished with a certificate.
Statutory Power Being Delegated:	Dog Act 1976 s9 Dog Amendment Bill 2013 s10AA
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	s9 Dog Act 1976
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	The Chief Executive Officer will issue certificates of authorisation to authorised officers.
Statutory Power to Sub Delegate	Nil – Appointment of Authorised Officers
CEO Sub Delegation to:	Manager of Works Manager of Finance and Administration Ranger Works Supervisor
CEO Conditions on Sub-delegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
Compliance Links:	Local Government Act 1995 Dog Act 1976
Council Policy Link:	Nil
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference:	
Adopted 19 April 2023	Motion

Delegation 1.21 Planning Delegation – Development Applications	
Function Delegated:	To determine development applications under the Shire of Cranbrook Town Planning Scheme No 4.
Statutory Power Being Delegated:	<u>Shire of Cranbrook Town Planning Scheme No 4 (as amended)</u> <ul style="list-style-type: none"> • Part 4 – Zones and the use of land • Part 5 – General development requirements • Part 10 – Procedures for dealing with applications
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	<u>Local Government Act 1995</u> <ul style="list-style-type: none"> • s5.42 Delegations of some powers and duties to the CEO • s5.43 Limitations to delegations <u>Shire of Cranbrook Town Planning Scheme No 4 (as amended)</u> <ul style="list-style-type: none"> • Clause 11.3.1
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	This delegation is limited to development applications for outbuildings on lots that are zoned Rural Residential under the Cranbrook Town Planning Scheme No. 4 ('the Scheme'). This delegation must not be operated by the delegated officer where: <ul style="list-style-type: none"> - The gross floor area of the outbuilding exceeds 120m². - The total cost of development exceeds \$10,000. - The development does not comply with the Development Standards under Clause 5.17.4 of the Scheme. - The development does not comply with the site requirements under Clause 5.17.1 of the Scheme. - The development has already been constructed and the application seeks a retrospective planning approval. - The development is on a vacant lot and not ancillary to an existing single house. - The development is to be constructed out of second hand materials or is a transported building.
Statutory Power to Sub Delegate	Local Government Act 1995 s5.44 CEO may delegate powers and duties to others <u>Shire of Cranbrook Town Planning Scheme No 4 (as amended)</u> Clause 11.3.2
CEO Sub Delegation to:	Nil
CEO Conditions on Sub-delegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
Compliance Links:	Local Government Act 1995 Shire of Cranbrook Town Planning Scheme 4
Council Policy Link:	Nil
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference:	
Adopted 19 April 2023	Motion

Delegation 1.22 Building Delegation – Approval of Plans	
Function Delegated:	The authority to approve or refuse to approve plans or specifications submitted under s374 of the Local Government (Miscellaneous Provisions) Act 1960
Statutory Power Being Delegated:	Government (Miscellaneous Provisions) Act 1960 s374 – 420.
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	Local Government Act 1995 s5.42 Delegations of some powers and duties to the CEO s5.43 Limitations to delegations
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	Nil
Statutory Power to Sub Delegate	Local Government Act 1995 s5.44 CEO may delegate powers and duties to others
CEO Sub Delegation to:	Nil
CEO Conditions on Sub-delegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
Compliance Links:	Local Government Act 1995 Shire of Cranbrook Town Planning Scheme 4 Building Act 2011
Council Policy Link:	Nil
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference:	
Adopted 19 April 2023	Motion

Delegation 1.23 Bush Fire	
Function Delegated:	A local government may in writing, delegate to its Chief Executive Officer the performance of any of its functions under this act.
Statutory Power Being Delegated:	Bush Fires Act 1954
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	Bush Fires Act 1954 s48(1)
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	Nil
Statutory Power to Sub Delegate	S48(3) A delegation under this section does not include the power to sub-delegate.
CEO Sub Delegation to:	Nil
CEO Conditions on Sub-delegation:	Nil
Record Keeping Statement:	Nil
Compliance Links:	Bush Fires Act 1954
Council Policy Link:	Policy 6.0 Bush Fire
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference:	
Adopted 19 April 2023	Motion

Delegation 1.24 Advice to Department of Planning Lands and Heritage Regarding Matters Associated with the Land Administration Act 1997

Function Delegated:	Advise the Department of Planning Lands and Heritage with respect to proposed changes of tenure, altered/new management orders, and/or granting or renewing of leases and/or licences relating to Crown Land.
Statutory Power Being Delegated:	<u>Local Government Act 1995</u> <ul style="list-style-type: none"> • s5.42 Delegations of some powers and duties to the CEO
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	<u>Local Government Act 1995</u> <ul style="list-style-type: none"> • s5.42 Delegations of some powers and duties to the CEO
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	This delegation is limited to leases that do not have a major change of purpose of use.
Statutory Power to Sub Delegate	Local Government Act 1995 S5.44 CEO may delegate powers and duties to others
CEO Sub Delegation to:	Nil
CEO Conditions on Sub-delegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
Compliance Links:	Local Government Act 1995 Land Administration Act 1997
Council Policy Link:	Nil
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference:	
Adopted 19 April 2023	Motion

Delegation 1.25 Compensation for Damage

Function Delegated:	In accordance with s3.22, assess and determine the extent of damage to private property arising directly from the performance of executive functions and make payment of compensation. Compensation for damage to personal property may also be paid in instances where the Shire's insurer has not accepted the claim, or the excess of the insurance exceeds the value of the claim. Any such payments are to be the subject of a deed of settlement.
Statutory Power Being Delegated:	<u>Local Government Act 1995</u> <ul style="list-style-type: none"> • s3.22 Compensation
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	<u>Local Government Act 1995</u> <ul style="list-style-type: none"> • s5.42 Delegations of some powers and duties to the CEO
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	This delegation is limited to settlements that do not exceed a value of \$2,000
Statutory Power to Sub Delegate	Local Government Act 1995 S5.44 CEO may delegate powers and duties to others
CEO Sub Delegation to:	Nil
CEO Conditions on Sub-delegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
Compliance Links:	Local Government Act 1995 Land Administration Act 1997
Council Policy Link:	Nil
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference:	
Adopted 19 April 2023	Motion

Delegation 1.26 Impounding of Goods	
Function Delegated:	Undertake the functions and duties under Part3, Division 3, Subdivision 4 of the Act in respect of: <ul style="list-style-type: none"> - S.3.39. – Remove and impound goods that are involved in a contravention. - S.3.40. – Removal of Vehicle and Impounding of Goods. - S.3.46. – Withholding of goods pending payment of costs. - S.3.48. – Recovery of costs incurred in the impounding exercise.
Statutory Power Being Delegated:	<u>Local Government Act 1995</u> <ul style="list-style-type: none"> • S3.39, s3.40, s3.46, s3.48
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	<u>Local Government Act 1995</u> <ul style="list-style-type: none"> • s5.42 Delegations of some powers and duties to the CEO
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	Compliance with regulation 29, 29A,B of the Local Government (Functions and General) Regulations 1996.
Statutory Power to Sub Delegate	Local Government Act 1995 S5.44 CEO may delegate powers and duties to others
CEO Sub Delegation to:	Manager of Works Ranger
CEO Conditions on Sub-delegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
Compliance Links:	Local Government Act 1995 Land Administration Act 1997
Council Policy Link:	Nil
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference:	
Adopted 19 April 2023	Motion

Delegation 1.27 Arrangements for Payment of Rates and Service Charges	
Function Delegated:	Authority to make agreements with persons for the payment of rates and service charges.
Statutory Power Being Delegated:	<u>Local Government Act 1995</u> <ul style="list-style-type: none"> • s6.49
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	<u>Local Government Act 1995</u> <ul style="list-style-type: none"> • s5.42 Delegations of some powers and duties to the CEO
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	Agreements for the payment of rates and service charges must be in writing. Refer CEO Instruction FMC.02 Rates and Service Charges Recovery
Statutory Power to Sub Delegate	Local Government Act 1995 S5.44 CEO may delegate powers and duties to others
CEO Sub Delegation to:	Manager of Finance and Administration
CEO Conditions on Sub-delegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
Compliance Links:	Local Government Act 1995 Land Administration Act 1997
Council Policy Link:	4.15 Financial Hardship
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference:	
Adopted 19 April 2023	Motion

Delegation 1.28 Private Works in Public Places	
Function Delegated:	Grant permission to construct anything on, over, or under a public thoroughfare, or other public place that is Shire property and impose conditions in respect to the permission.
Statutory Power Being Delegated:	<u>Local Government Act 1995</u> <ul style="list-style-type: none"> • s9.60, Schedule 9.1, Clause 8,
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	<u>Local Government Act 1995</u> <ul style="list-style-type: none"> • s5.42 Delegations of some powers and duties to the CEO
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	Only where no planning approval is required.
Statutory Power to Sub Delegate	Local Government Act 1995 S5.44 CEO may delegate powers and duties to others
CEO Sub Delegation to:	Manager of Finance and Administration
CEO Conditions on Sub-delegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
Compliance Links:	Local Government Act 1995 Land Administration Act 1997
Council Policy Link:	Nil
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference:	
Adopted 19 April 2023	Motion

Delegation 1.29 Appointment of Acting Chief Executive Officer	
Function Delegated:	Appoint a Shire Officer as Acting CEO when the CEO is absent on leave.
Statutory Power Being Delegated:	<u>Local Government Act 1995</u> <ul style="list-style-type: none"> • s5.39 (1a)
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	<u>Local Government Act 1995</u> <ul style="list-style-type: none"> • s5.42 Delegations of some powers and duties to the CEO
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	For periods of leave not exceeding 5 weeks.
Statutory Power to Sub Delegate	No
CEO Sub Delegation to:	Nil
CEO Conditions on Sub-delegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
Compliance Links:	Local Government Act 1995 Land Administration Act 1997
Council Policy Link:	Nil
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference:	
Adopted 19 April 2023	Motion

Delegation 1.30 Investments	
Function Delegated:	Authority to invest money held in the municipal fund or trust fund that is not, for the time being, required for any other purpose. Authority to establish and document internal control procedures to be followed in the investment and management of investments.
Statutory Power Being Delegated:	<u>Local Government Act 1995</u> <ul style="list-style-type: none"> • s6.14
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	<u>Local Government Act 1995</u> <ul style="list-style-type: none"> • s5.42 Delegations of some powers and duties to the CEO
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	Must be in accordance with Council Policy 4.4 Investments.
Statutory Power to Sub Delegate	Local Government Act 1995 S5.44 CEO may delegate powers and duties to others
CEO Sub Delegation to:	Manager of Finance and Administration
CEO Conditions on Sub-delegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
Compliance Links:	Local Government Act 1995 Land Administration Act 1997
Council Policy Link:	4.4 Investments
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference:	
Adopted 19 April 2023	Motion

Delegation 1.31 Minor Amendments to Delegation Register and Policies	
Function Delegated:	Make amendments to format, spelling, grammar, titling and minor errors within the text of Delegations and Policies that have already been endorsed by Council.
Statutory Power Being Delegated:	
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	<u>Local Government Act 1995</u> <ul style="list-style-type: none"> • s5.42 Delegations of some powers and duties to the CEO
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	Such changes must not alter the intent of any Policy or Delegation or clause within a Policy or Delegation.
Statutory Power to Sub Delegate	Local Government Act 1995 S5.44 CEO may delegate powers and duties to others
CEO Sub Delegation to:	Manager of Finance and Administration
CEO Conditions on Sub-delegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
Compliance Links:	Local Government Act 1995 Land Administration Act 1997
Council Policy Link:	Nil
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference:	
Adopted 19 April 2023	Motion

Delegation 1.32 Payments From Municipal or Trust Funds	
Function Delegated:	Authority to make payments from the municipal or trust fund.
Statutory Power Being Delegated:	Financial Management Regulation r.12(1)(a)
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	<u>Local Government Act 1995</u> <ul style="list-style-type: none"> • s5.42 Delegations of some powers and duties to the CEO
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	Must be in accordance with Financial Management Regulations FM 5, 8, 11, 13.
Statutory Power to Sub Delegate	Local Government Act 1995 S5.44 CEO may delegate powers and duties to others
CEO Sub Delegation to:	Manager of Works Manager of Finance and Administration
CEO Conditions on Sub-delegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
Compliance Links:	Local Government Act 1995 Land Administration Act 1997
Council Policy Link:	4.8 Purchasing Policy
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference:	
Adopted 19 April 2023	Motion

Delegation 1.33 Temporary Works Exemptions	
Function Delegated:	Authority to grant an exemption from the need for planning approval for temporary works (not exceeding a 12 month period) in accordance with Clause 61(2) (f) of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>
Statutory Power Being Delegated:	Clause 61(2) (f) of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	<u>Local Government Act 1995</u> <ul style="list-style-type: none"> • s5.42 Delegations of some powers and duties to the CEO
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	Such changes must not alter the intent of any Policy or Delegation or clause within a Policy or Delegation.
Statutory Power to Sub Delegate	Local Government Act 1995 S5.44 CEO may delegate powers and duties to others
CEO Sub Delegation to:	Nil
CEO Conditions on Sub-delegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
Compliance Links:	Local Government Act 1995 Land Administration Act 1997
Council Policy Link:	Nil
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference:	
Adopted 19 April 2023	Motion