



DELEGATIONS REGISTER

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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 s. 5.43 of the <i>Local Government Act 1995</i>.
Statutory Power Being Delegated:	Functions of the: <i>Local Government Act 1995</i> 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 <i>Local Government (Miscellaneous Provisions) Act 1960</i> <i>Dog Act 1976</i> (s. 9) and Dog Regulations 2013 <i>Cat Act 2011</i> (s. 45) and Cat Regulations 2012 <i>Caravan and Camping Grounds Act 1995</i> and Regulations (s17) <i>Bush Fires Act 1954</i> and Bush Fire Regulations 1954 Note: this is not an exclusive or exhaustive list.
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s. 5.41 Functions of CEO s. 5.42 Delegation of some powers and duties to the CEO s. 5.43 Limits on delegations to CEO
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	Nil
Statutory Power to Sub Delegate	<i>Local Government Act 1995</i> s. 5.44 CEO may delegate powers and duties to other employees
CEO Sub Delegation to:	Manager of Works Manager of Finance Manager of HR and Administration
CEO Conditions on Sub-delegation:	<i>Bush Fires Act 1954</i> s. 48 (3) - No power in the <i>Bush Fire Act 1954</i> can be sub-delegated <i>Local Government Act 1995</i> (s. 5.43) Limits on delegations to CEO
Record Keeping Statement:	A person to whom a power or duty is delegated under these Acts is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty.
Compliance Links:	<i>Local Government Act 1995</i> (s. 5.41, s. 5.42, s. 5.43, s. 5.44)
Council Policy Link:	Nil
Council Motion/s:	Delegation Register: XX062024
Delegation Administration:	This delegation is to be reviewed annually s. 5.46 (2)

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:	<i>Local Government Act 1995</i> s. 9.10 (1.2)
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s. 5.42 Delegation of some powers and duties to the CEO s. 5.43 Limits on delegations to CEO s. 9.10 (1) (2)
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	Authorised Officers must have certificate of authorisation
Statutory Power to Sub Delegate	<i>Local Government Act 1995</i> s. 5.44 CEO may delegate powers and duties to other employees s. 9.10 Appointment of authorised persons
CEO Sub Delegation to:	Manager of Works All Administration Staff
CEO Conditions on Sub-delegation:	Managers and other Authorised officers may act upon statutory authorisation relating to Local Government excluding s. 9.29 Representing 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:	<i>Local Government Act 1995</i> s. 9.10 (1) (2) Shire of Cranbrook Authorisations Register
Council Policy Link:	Nil
Council Motion/s:	Delegation Register: XX062024
Delegation Administration: This delegation is to be reviewed annually s. 5.46 (2)	

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:	<i>Local Government Act 1995 s. 3.53 (3)</i>
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995 s. 5.42</i> Delegation of some powers and duties to the CEO
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	Nil
Statutory Power to Sub Delegate	<i>Local Government Act 1995 s.5.44</i> CEO may delegate powers and duties to other employees
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 <i>Act</i> is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty.
Compliance Links:	<i>Local Government Act 1995</i>
Council Policy Link:	Nil
Council Motion/s:	Delegation Register: XX062024
Delegation Administration:	This delegation is to be reviewed annually s. 5.46 (2)

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:	<i>Local Government Act 1995</i> s. 3.24, s. 3.25 (1) (3), s. 3.36, Schedule 3.1 <i>Bush Fires Act 1954</i> s. 48 (nil sub-delegation – s. 48 (3))
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s. 5.42 Delegation 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	<i>Local Government Act 1995</i> s. 5.44 CEO may delegate some powers and duties to other employees
CEO Sub Delegation to:	With the exception of matters relating to the <i>Bush Fires Act 1954</i> : Manager of Works Manager of Finance Ranger
CEO Conditions on Sub-delegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this <i>Act</i> is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty.
Compliance Links:	<i>Local Government Act 1995</i> Schedule 3.1
Council Policy Link:	Nil
Local Law Link:	Activities in Thoroughfares and Public Places and Trading
Council Motion/s:	Delegation Register: XX062024
Delegation Administration:	This delegation is to be reviewed annually s. 5.46 (2)

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 \$250,000. 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 WALGA Preferred Supplier Program or where exemptions apply in accordance with r. 11 (2).
Statutory Power Being Delegated:	<i>Local Government Act 1995</i> s. 3.57 (1) Local Government (Functions and General) Regulations r. 11 (1) (2), r. 14 (4) (c)
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s. 5.42 Delegation 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 the WALGA Preferred Supplier Program is utilised which removes the requirement to tender, or r. 11.2 applies. All tenders are to be approved by Council. Tender documents must determine in writing the criteria for accepting and accessing tenders. That tenders are for items approved in the budget or by resolution of Council.
Statutory Power to Sub Delegate:	<i>Local Government Act 1995</i> s. 5.44 CEO may delegate powers and duties to other employees
CEO Sub Delegation to:	Manager of Works Manager of Finance Manager of Community Development Manager of HR 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 <i>Act</i> is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty.
Compliance Links:	<i>Local Government Act 1995</i> s. 3.57 Local Government (Functions and General) Regulations 1996 r. 11 (1) (2) (b), r.14 (4) (c)
Council Policy Link:	4.8 Finance - Purchasing
Council Motion/s:	Delegation Register: XX062024
Delegation Administration:	This delegation is to be reviewed annually s. 5.46 (2)

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:	<i>Local Government Act 1995</i> s. 3.57 (1) Local Government (Functions and General) Regulations r. 21 (1) (2) (3) (4), r. 22
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s. 5.42 Delegation 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 r. 21 (4)
Statutory Power to Sub Delegate:	<i>Local Government Act 1995</i> s. 5.44 CEO may delegate powers and duties to other employees
CEO Sub Delegation to:	Manager of Works Manager of Finance Manager of Community Development Manager of HR 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 <i>Act</i> is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty.
Compliance Links:	<i>Local Government Act 1995</i> s. 3.57 Local Government (Functions and General) Regulations 1996 r. 11 (1) (2b), r. 14 (4) (c)
Council Policy Link:	4.8 Finance - Purchasing
Council Motion/s:	Delegation Register: XX/06/2024
Delegation Administration:	This delegation is to be reviewed annually s. 5.46 (2)

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:	<i>Local Government Act 1995</i> s. 3.57 (1) Local Government (Functions and General) Regulations r. 20 (1) (2) (3)
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s. 5.42 Delegation 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:	<i>Local Government Act 1995</i> s. 5.44 CEO may delegate powers and duties to other employees
CEO Sub Delegation to:	Manager of Works Manager of Finance Manager of Community Development Manager of HR 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 <i>Act</i> is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty.
Compliance Links:	<i>Local Government Act 1995</i> s. 3.57 Local Government (Functions and General) Regulations 1996 r.20
Council Policy Link:	4.8 Finance - Purchasing
Council Motion/s:	Delegation Register: XX/06/2024
Delegation Administration:	This delegation is to be reviewed annually s. 5.46 (2)

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, or for any other exemption listed under r. 30.
Statutory Power Being Delegated:	<i>Local Government Act 1995</i> s. 3.58 (3) (5) (d) Local Government (Functions and General) Regulations r.30 (3) (a) (b)
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s. 5.42 Delegation of some powers and duties to the CEO s. 5.43 Limits on delegations to the CEO
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	Subject to s. 5.43 (d) of the <i>Local Government Act 1995</i> and r. 30 (3) (a) b), the CEO can dispose of property (other than land) to a maximum value of less than \$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 s. 3.58 of the <i>Local Government Act 1995</i> .
Statutory Power to Sub Delegate	<i>Local Government Act 1995</i> s. 5.44 CEO may delegate powers and duties to other employees
CEO Sub Delegation to:	Manager of Works Manager of Finance Manager of Community Development Manager of HR 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:	<i>Local Government Act 1995</i>
Council Policy Link:	4.14 Finance – Asset Disposal
Council Motion/s:	Delegation Register: XX/06/2024
Delegation Administration:	This delegation is to be reviewed annually s. 5.46 (2)

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:	<i>Local Government Act 1995 s. 3.58 (3)</i>
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s. 5.42 Delegations of some powers and duties to the CEO s. 5.43 Limits on delegations to CEO
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	<i>Local Government Act 1995</i> s. 5.44 CEO may delegate powers and duties to other employees
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 <i>Act</i> is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty.
Compliance Links:	<i>Local Government Act 1995 s. 3.58</i>
Council Policy Link:	4.14 Finance – Asset Disposal
Council Motion/s:	Delegation Register: XX/06/2024
Delegation Administration:	This delegation is to be reviewed annually s. 5.46 (2)

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:	<i>Local Government Act 1995</i> s. 6.12 (1) (b) (c)
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s. 5.42 Delegation of some powers and duties to the CEO s. 5.43 Limits on delegations to CEO
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 up to the value of \$200.00 where all necessary and appropriate measures have been taken to recover the debt.
Statutory Power to Sub Delegate	<i>Local Government Act 1995</i> s. 5.44 CEO may delegate powers and duties to other employees
CEO Sub Delegation to:	Manager of Finance
CEO Conditions on Sub-delegation:	The writing off of rates and sundry debts up 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:	<i>Local Government Act 1995</i> s. 5.41, s. 5.42, s. 5.43
Council Policy Link:	4.12 Finance - Fees and Charges Application 4.5 Finance – Rates and Sundry Debtors Charges, Write Offs, Recovery Process
Council Motion/s:	Delegation Register: XX/06/2024
Delegation Administration:	This delegation is to be reviewed annually s. 5.46 (2)

Delegation 1.10 Donations	
Function Delegated:	The ability to make community donations.
Statutory Power Being Delegated:	<i>Local Government Act 1995</i> s. 6.10 Local Government (Financial Management) Regulations 1996 12.1 (a)
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s. 5.42 Delegation of some powers and duties to the CEO s. 5.43 Limits on delegations to CEO
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	<i>Local Government Act 1995</i> s. 5.44 CEO may delegate powers and duties to other employees
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 <i>Act</i> is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty.
Compliance Links:	<i>Local Government Act 1995</i>
Council Policy Link:	4.7 Finance – Donations and sponsorships
Council Motion/s:	XX/06/2024
Delegation Administration:	This delegation is to be reviewed annually s. 5.46 (2)

Delegation 1.11 Contribution to Site Works – Deleted 19 April 2023

Delegation 1.12 Employee Relocation Expenses	
Function Delegated:	The ability to authorise the payment of relocation expenses for employees
Statutory Power Being Delegated:	<i>Local Government Act 1995</i> s 6.10 Local Government (Financial Management) Regulations 1996 r. 12.1 (a)
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s. 5.42 Delegation of some powers and duties to the CEO s. 5.43 Limits on delegations to CEO
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 capped to a Council contribution threshold of \$2,500 can be authorised by the CEO. This does not apply to Managers who are covered by contract conditions.
Statutory Power to Sub Delegate	<i>Local Government Act 1995</i> s. 5.44 CEO may delegate powers and duties to other employees
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:	<i>Local Government Act 1995</i> s. 5.41
Council Policy Link:	2.15 Workforce - Relocation Expenses Employees
Council Motion/s:	XX/06/2024
Delegation Administration:	This delegation is to be reviewed annually s. 5.46 (2)

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:	<i>Local Government Act 1995</i> s. 3.50, s. 3.50A s. 3.51 Affected owners to be notified of certain proposals
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s. 5.42 Delegation of some powers and duties to the CEO s. 5.43 Limits on delegations to CEO
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	Nil
Statutory Power to Sub Delegate	<i>Local Government Act 1995</i> s. 5.44 CEO may delegate powers and duties to other employees
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 <i>Act</i> is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty.
Compliance Links:	<i>Local Government Act 1995</i>
Council Policy Link:	5.2 Works - Thoroughfares - Temporary Closure
Local Law Link:	Activities in Thoroughfares and Public Places and Trading
Council Motion/s:	XX/06/2024
Delegation Administration:	This delegation is to be reviewed annually s. 5.46 (2)

Delegation 1.14 Disposing of Confiscated or Uncollected Goods	
Function Delegated:	<p><i>Local Government Act 1995</i> The local government may sell or otherwise dispose of impounded goods that have not been collected within the period specified in s.3.47 (2) (a), (2) (b).</p> <p><i>Residential Tenancy Act 1987</i> The lessor may remove and destroy or dispose of goods and documents as specified in s. 79 (Abandoned goods) and s. 80A (Abandoned documents)</p>
Statutory Power Being Delegated:	<p><i>Local Government Act 1995</i> s. 3.46 Goods may be withheld until costs paid s. 3.47 Confiscated or uncollected goods, disposal of s. 3.48 Impounding expenses, recovery of <i>Residential Tenancy Act 2011</i> s. 79 Abandoned goods s. 80A Abandoned documents</p>
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	<p><i>Local Government Act 1995</i> s. 5.42 Delegation of some powers and duties to the CEO s. 5.43 Limits on delegations to CEO</p>
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 Local Government (Functions and General) Regulations 1996 r. 30, be disposed of by any means considered to provide best value, provided the process is transparent and accountable.
Statutory Power to Sub Delegate	<p><i>Local Government Act 1995</i> s. 5.44 CEO may delegate powers and duties to other employees</p>
CEO Sub Delegation to:	<p>Manager of Works Manager of Finance</p>
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:	<i>Local Government Act 1995</i> s. 3.47
Council Policy Link:	Nil
Council Motion/s:	XX/06/2024
Delegation Administration: This delegation is to be reviewed annually s. 5.46 (2)	

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:	<i>Local Government Act 1995</i> s .3.18 Performing executive functions
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s. 5.42 Delegation of some powers and duties to the CEO s. 5.43 Limits on delegations to CEO
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	<i>Local Government Act 1995</i> s. 5.44 CEO may delegate powers and duties to other employees
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 <i>Act</i> is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty.
Compliance Links:	<i>Local Government Act 1995</i>
Council Policy Link:	Nil
Local Law Link:	Property 2007 Activities in Thoroughfares and Public Places and Trading
Council Motion/s:	XX/06/2024
Delegation Administration:	This delegation is to be reviewed annually s5.46(2)

Delegation 1.16 Food Act 2008 – 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:	<i>Food Act 2008</i> s. 65 (1) Prohibition Order s. 66 Certificate of clearance to be given in certain circumstances s. 67 (4) Request for re-inspection
Power is Originally Assigned to:	Local Government (enforcement agency)
Statutory Power of Delegation:	<i>Food Act 2008</i> 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 s. 118 (3) (b), this delegation is subject to relevant Department 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 <i>Act</i> is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty.
Compliance Links:	<i>Food Act 2008</i> <i>Local Government Act 1995</i>
Council Policy Link:	Nil
Council Motion/s:	XX.06/2024
Delegation Administration:	This delegation is to be reviewed annually s. 5.46 (2)

Delegation 1.17 Food Act 2008 – 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:	<i>Food Act 2008</i> s. 110 (1) (5) Registration of food businesses s. 112 Variation of conditions or cancellation of registration of food businesses
Power is Originally Assigned to:	Local Government (Enforcement Agency)
Statutory Power of Delegation:	<i>Food Act 2008</i> 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:	In accordance with s. 118 (3) (b), this delegation is subject to relevant Department of Health CEO guidelines as amended from time to time.
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:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this <i>Act</i> is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty.
Compliance Links:	<i>Food Act 2008</i> Food Regulations 2009 <i>Local Government Act 1995</i>
Council Policy Link:	Nil
Local Law Link:	Property 2007 Activities in Thoroughfares and Public Places and Trading
Council Motion/s:	XX/06/2024
Delegation Administration: This delegation is to be reviewed annually s. 5.46 (2)	

Delegation 1.18 Food Act 2008 – 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 <i>Food Act 2008</i> (s. 125).
Statutory Power Being Delegated:	<i>Food Act 2008</i> 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:	<i>Food Act 2008</i> 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:	In accordance with s. 118 (3) (b), this delegation is subject to relevant Department of Health CEO guidelines as amended from time to time.
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:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this <i>Act</i> is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty.
Compliance Links:	<i>Food Act 2008</i> Food Regulations 2009 <i>Local Government Act 1995</i>
Council Policy Link:	Nil
Council Motion/s:	XX/06/2024
Delegation Administration:	This delegation is to be reviewed annually s. 5.46 (2)

Delegation 1.19 Cat Act 2011 – 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 <i>Cat Act 2011</i> .
Statutory Power Being Delegated:	<i>Cat Act 2011</i> s. 45 Delegation by CEO of local government <i>Local Government Act 1995</i> s. 9.10 (2) Appointment of authorised persons
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	<i>Cat Act 2011</i> s. 44 Delegation by local government
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	<i>Cat Act 2011</i> s. 45 Delegation by CEO of local government
CEO Sub Delegation to:	Manager of Works Ranger Works Supervisor All Administration staff
CEO Conditions on Sub-delegation:	s. 63, s. 64, s. 65 of the <i>Cat Act 2011</i> 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 <i>Act</i> is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty.
Compliance Links:	<i>Local Government Act 1995</i> <i>Cat Act 2011</i>
Council Policy Link:	Nil
Council Motion/s:	XX/06/2024
Delegation Administration: This delegation is to be reviewed annually s. 5.46 (2)	

Delegation 1.20 Dog Act 1976 – 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 <i>Dog Act 1976</i> shall be furnished with a certificate.
Statutory Power Being Delegated:	<i>Dog Act 1976</i> s. 9 Administrative responsibility <i>Dog Amendment Act 2013</i> s. 10AA <i>Local Government Act 1995</i> s. 9.10 (2) Appointment of authorised persons
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	<i>Dog Act 1976</i> s. 9
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 Ranger Works Supervisor All Administration staff
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:	<i>Local Government Act 1995</i> <i>Dog Act 1976</i> <i>Dog Amendment Act 2013</i>
Council Policy Link:	Nil
Local Law Link:	Dogs 2006
Council Motion/s:	XX/06/2024
Delegation Administration: This delegation is to be reviewed annually s. 5.46 (2)	

Delegation 1.21 Planning Delegation – Illegal Development

Function Delegated:	<ol style="list-style-type: none"> 1. Give a written direction to the owner or any other person undertaking an unauthorised development to stop, and not recommence, the development or that part of the development that is undertaken in contravention of the planning scheme, interim development order or planning control area requirements; 2. Give a written direction to the owner or any other person who undertook an unauthorised development: <ol style="list-style-type: none"> (a) to remove, pull down, take up, or alter the development; and (b) to restore the land as nearly as practicable to its condition immediately before the development started, to the satisfaction of the responsible authority. 3. Give a written direction to the person whose duty it is to execute work to execute that work where it appears that delay in the execution of the work to be executed under a planning scheme or interim development order would prejudice the effective operation of the planning scheme or interim development order. <p>To determine development applications under the Shire of Cranbrook Town Planning Scheme No 4.</p>
Statutory Power Being Delegated:	<p><i>Local Government Act 1995:</i> s. 5.42 (b) Delegation of some powers or duties to the CEO s. 5.43 Limitations on delegations to the CEO Shire of Cranbrook Town Planning Scheme No 4 (as amended) Part 4 – Zones and the use of land Part 5 – General development requirements Part 10 – Procedures for dealing with applications</p>
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	<p><i>Local Government Act 1995</i> s. 5.42 Delegation of some powers and duties to the CEO s. 5.43 Limits on delegations to CEO <i>Planning and Development Act 2005</i> Section 214(2), (3) (5) Shire of Cranbrook Town Planning Scheme No 4 (as amended) Clause 11.3.1</p>
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	Nil
Statutory Power to Sub Delegate	<p><i>Local Government Act 1995</i> s. 5.44 CEO may delegate powers and duties to other employees Shire of Cranbrook Town Planning Scheme No 4 (as amended) Clause 11.3.2</p>

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 <i>Act</i> is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty.
Compliance Links:	<i>Local Government Act 1995</i> <i>Planning and Development Act 2005</i> part 13 - Delegates are designated employees under s. 5.74 and are required to provide Primary and Annual Returns Shire of Cranbrook Town Planning Scheme 4
Council Policy Link:	Nil
Council Motion/s:	XX/06/2024
Delegation Administration:	This delegation is to be reviewed annually s. 5.46 (2)

Delegation 1.22 Grant a Building Permit

Function Delegated:	<ol style="list-style-type: none"> 1. Authority to require an applicant to provide any documentation or information required to determine a building permit application [s.18(1)]. 2. Authority to grant or refuse to grant a building permit [s.20(1) & (2) and s.22]. 3. Authority to impose, vary or revoke conditions on a building permit [s.27(1) and(3)]. 4. Authority to determine an application to extend time during which a building permit has effect [r.23]. <ol style="list-style-type: none"> i. Subject to being satisfied that work for which the building permit was granted has not been completed OR the extension is necessary to allow rectification of defects of works for which the permit was granted [r.24(1)] ii. Authority to impose any condition on the building permit extension that could have been imposed under s.27 [r.24(2)]. 5. Authority to approve, or refuse to approve, an application for a new responsible person for a building permit [r.26].
Statutory Power Being Delegated:	<p><i>Building Act 2011:</i> s.18 Further Information s.20 Grant of building permit s.22 Further grounds for not granting an application s.27(1) and (3) Impose Conditions on Permit</p> <p><i>Building Regulations 2012:</i> r.23 Application to extend time during which permit has effect (s.32) r.24 Extension of time during which permit has effect (s.32(3)) r.26 Approval of new responsible person (s.35(c))</p>
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	<i>Building Act 2011</i> s. 127(1) & (3) Delegation: special permit authorities and local government
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	Nil
Statutory Power to Sub Delegate	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
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:	<p><u><i>Building Act 2011</i></u></p> <p>s. 119 Building and demolition permits – application for review by SAT</p> <p>s. 23 Time for deciding application for building or demolition permit</p> <p>s. 17 Uncertified application to be considered by building surveyor</p> <p>Building Regulations 2012</p> <p>r. 25 Review of decision to refuse to extend time during which permit has effect (s.32(3)) – reviewable by SAT</p> <p><i>Building Services (Registration Act) 2011 – Section 7</i></p> <p><i>Home Building Contracts Act 1991 Part 3A, Division 2 – Part 7, Division 2</i></p> <p><i>Building and Construction Industry Training Levy Act 1990</i></p> <p><i>Heritage Act 2018</i></p>
Council Policy Link:	Nil
Council Motion/s:	XX/06/2024
Delegation Administration:	This delegation is to be reviewed annually s. 5.46 (2)

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 <i>Act</i> .
Statutory Power Being Delegated:	<i>Bush Fires Act 1954</i>
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	<i>Bush Fires Act 1954 s. 48 (1)</i>
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	Nil
Statutory Power to Sub Delegate	s. 48 (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:	A person to whom a power or duty is delegated under this <i>Act</i> is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty.
Compliance Links:	<i>Bush Fires Act 1954</i>
Council Policy Link:	6.0 Emergency Services – Bushfire control
Local Law Link:	Bush Fire Brigades 2007
Council Motion/s:	XX/06/2024
Delegation Administration:	This delegation is to be reviewed annually s. 5.46 (2)

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:	<i>Local Government Act 1995</i> s. 5.42 Delegation of some powers and duties to the CEO
Power is Originally Assigned to:	Local Government
<u>Statutory Power of Delegation:</u>	<i>Local Government Act 1995</i> s. 5.42 Delegation 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	<i>Local Government Act 1995</i> s. 5.44 CEO may delegate powers and duties to other employees
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 <i>Act</i> is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty.
Compliance Links:	<i>Local Government Act 1995</i> <i>Land Administration Act 1997</i>
Council Policy Link:	Nil
Local Law Link:	Property 2007 Activities in Thoroughfares and Public Places and Trading
Council Motion/s:	XX/06/2024
Delegation Administration: This delegation is to be reviewed annually s. 5.46 (2)	

Delegation 1.25 Compensation for Damage	
Function Delegated:	In accordance with s. 3.22, 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:	<i>Local Government Act 1995</i> s. 3.22 Compensation
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s. 5.42 Delegation 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	<i>Local Government Act 1995</i> s. 5.44 CEO may delegate powers and duties to other employees
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:	<i>Local Government Act 1995</i> <i>Land Administration Act 1997</i>
Council Policy Link:	Nil
Council Motion/s:	XX/06/2024
Delegation Administration:	This delegation is to be reviewed annually s. 5.46 (2)

Delegation 1.26 Impounding of Goods	
Function Delegated:	Undertake the functions and duties under Part 3, Division 3, Subdivision 4 of the <i>Act</i> in respect of: <ul style="list-style-type: none"> • s. 3.39. – Power to remove and impound • s. 3.40. – Vehicle may be removed if goods to be impounded are in or on vehicle • s. 3.46 – Goods may be withheld until costs paid • s. 3.48 – Impounding expenses, recovery of
Statutory Power Being Delegated:	<i>Local Government Act 1995</i> s. 3.39, s. 3.40, s. 3.46, s. 3.48
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s. 5.42 Delegation of some powers and duties to the CEO
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	Compliance with r. 29, r. 29A, r. 29B of the Local Government (Functions and General) Regulations 1996
Statutory Power to Sub Delegate	<i>Local Government Act 1995</i> s. 5.44 CEO may delegate powers and duties to other employees
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 <i>Act</i> is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty.
Compliance Links:	<i>Local Government Act 1995</i>
Council Policy Link:	Nil
Local Law Link:	Property 2007 Activities in Thoroughfares and Public Places and Trading
Council Motion/s:	XX/06/2024
Delegation Administration:	This delegation is to be reviewed annually s. 5.46 (2)

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:	<i>Local Government Act 1995</i> s. 6.49
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s. 5.42 Delegation 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.
Statutory Power to Sub Delegate	<i>Local Government Act 1995</i> s. 5.44 CEO may delegate powers and duties to other employees
CEO Sub Delegation to:	Manager of Finance
CEO Conditions on Sub-delegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this <i>Act</i> is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty.
Compliance Links:	<i>Local Government Act 1995</i> <i>Land Administration Act 1997</i>
Council Policy Link:	4.15 Finance - Financial Hardship
Council Motion/s:	XX/06/2024
Delegation Administration:	This delegation is to be reviewed annually s. 5.46 (2)

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:	<i>Local Government Act 1995</i> s. 9.60, Schedule 9.1 Clause 8
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s. 5.42 Delegation 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	<i>Local Government Act 1995</i> s. 5.44 CEO may delegate powers and duties to other employees
CEO Sub Delegation to:	Manager of Works Manager of Finance
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:	<i>Local Government Act 1995</i> <i>Land Administration Act 1997</i>
Council Policy Link:	Nil
Local Law Link:	Activities in Thoroughfares and Public Places and Trading Places
Council Motion/s:	XX/06/2024
Delegation Administration: This delegation is to be reviewed annually s. 5.46 (2)	

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:	<i>Local Government Act 1995 s. 5.39 (1a)</i>
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s. 5.42 Delegation 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:	<i>Local Government Act 1995</i>
Council Policy Link:	2.24 Workforce – Appointment of Acting CEO
Council Motion/s:	XX/06/2024
Delegation Administration:	This delegation is to be reviewed annually s. 5.46 (2)

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:	<i>Local Government Act 1995</i> s. 6.14 Power to invest Local Government (Financial Management) Regulations 1996 s. 5 CEO's duties as to financial management s. 19 Investment, control procedures for
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s. 5.42 Delegation 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 Finance - Investments.
Statutory Power to Sub Delegate	<i>Local Government Act 1995</i> s. 5.44 CEO may delegate powers and duties to other employees
CEO Sub Delegation to:	Manager of Finance
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:	<i>Local Government Act 1995</i> Local Government (Financial Management) Regulations 1996
Council Policy Link:	4.4 Finance - Investments
Council Motion/s:	XX/06/2024
Delegation Administration:	This delegation is to be reviewed annually s. 5.46 (2)

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:	<i>Local Government Act 1995</i> s. 5.42 Delegation 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	<i>Local Government Act 1995</i> s. 5.44 CEO may delegate powers and duties to other employees
CEO Sub Delegation to:	Manager of Finance Manager HR and Administration Executive 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:	<i>Local Government Act 1995</i>
Council Policy Link:	Nil
Council Motion/s:	XX/06/2024
Delegation Administration:	This delegation is to be reviewed annually s. 5.46 (2)

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:	Local Government (Financial Management) Regulations 1996 r.12(1)(a)
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s. 5.42 Delegation of some powers and duties to the CEO
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	Must be in accordance with Local Government (Financial Management) Regulations 1996 r. 5, r. 8, r. 11, r. 13.
Statutory Power to Sub Delegate	<i>Local Government Act 1995</i> s. 5.44 CEO may delegate powers and duties to other employees
CEO Sub Delegation to:	Manager of Works Manager of Finance Manager Community Development Manager HR & Administration
CEO Conditions on Sub-delegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this <i>Act</i> is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty.
Compliance Links:	<i>Local Government Act 1995</i>
Council Policy Link:	4.8 Finance - Purchasing
Council Motion/s:	XX/06/2024
Delegation Administration:	This delegation is to be reviewed annually s. 5.46 (2)

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 Schedule 2, Part 7, cl. 61(1) 17 of the Planning and Development (Local Planning Schemes) Regulations 2015
Statutory Power Being Delegated:	Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2, Part 7, cl. 61(1) (17)
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s. 5.42 Delegation 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	<i>Local Government Act 1995</i> s. 5.44 CEO may delegate powers and duties to other employees
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:	<i>Local Government Act 1995</i> <i>Land Administration Act 1997</i> <i>Planning and Development Act 2005</i>
Council Policy Link:	Nil
Council Motion/s:	10022023 Delegation Register XX/06/2024
Delegation Administration:	This delegation is to be reviewed annually s. 5.46 (2)

Delegation 1.34 Delegation to the Chief Executive Officer to deal with Compliance and Conditions on Significant Developments

Function Delegated:	<ul style="list-style-type: none"> a. Accept a development application for processing or request lodgement of additional information. Note: Includes Development Assessment Panel applications. b. Determination of compliance or non-compliance with conditions of any development approval including an approval issued by a Development Assessment Panel. c. After an application has been accepted for processing, request an applicant provide additional information. Note: Includes lodging a 'stop the clock' request to a Development Assessment Panel. d. Determine the extent and means of advertising for all development applications. e. Lodge any accepted Development Assessment Panel application to the administrative officer of the Regional Development Assessment Panel. f. Make recommendations to the WAPC on clearance and compliance with conditions imposed on any development approval issued by the WAPC.
Statutory Power Being Delegated:	Planning and Development (Local Planning Schemes) Regulations 2015 cl. 63A, cl. 65A, cl. 64, cl. 66 Planning and Development (Development Assessment Panels) Regulations 2011 cl. 11 Shire of Cranbrook Town Planning Scheme No 4
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s. 5.42 Delegation of some powers and duties to the CEO Planning and Development (Local Planning Schemes) Regulations 2015 cl. 82 (1), cl. 82 (2)
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	This delegation is granted for a period of 24 months from 30 May 2023 to 30 May 2025.
Statutory Power to Sub Delegate	<i>Local Government Act 1995</i> s. 5.44 CEO may delegate powers and duties to other employees
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:	<i>Local Government Act 1995</i> <i>Land Administration Act 1997</i> Planning and Development (Local Planning Schemes) Regulations 2015

	Planning and Development (Development Assessment Panels) Regulations 2011
Council Policy Link:	Nil
Council Motion/s:	XX/06/2024
Delegation Administration:	This delegation is to be reviewed annually s. 5.46 (2)

Delegation 1.35 Demolition Permits

Function Delegated:	<ol style="list-style-type: none"> 1. Authority to require an applicant to provide any documentation or information required to determine a demolition permit application [s.18(1)]. 2. Authority to grant or refuse to grant a demolition permit on the basis that all s.21(1) requirements have been satisfied [s.20(1) & (2) and s.22]. 3. Authority to impose, vary or revoke conditions on a demolition permit [s.27(1) and(3)]. 4. Authority to determine an application to extend time during which a demolition permit has effect [r.23]. <ol style="list-style-type: none"> i. Subject to being satisfied that work for which the demolition permit was granted has not been completed OR the extension is necessary to allow rectification of defects of works for which the permit was granted [r.24(1)] ii. Authority to impose any condition on the demolition permit extension that could have been imposed under s.27 [r.24(2)]. 5. Authority to approve, or refuse to approve, an application for a new responsible person for a demolition permit [r.26].
Statutory Power Being Delegated:	<i>Building Act 2011</i> s. 18 Further Information s. 21 Grant of demolition permit s. 22 Further grounds for not granting an application s. 27(1) and (3) Impose Conditions on Permit <i>Building Regulations 2012</i> r. 23 Application to extend time during which permit has effect (s.32) r. 24 Extension of time during which permit has effect (s.32(3)) r.26 Approval of new responsible person (s.35(c))
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	<i>Building Act 2011</i> s. 127(1) & (3) Delegation: special permit authorities and local government
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	Nil
Statutory Power to Sub Delegate	<i>Building Act 2011</i> s. 127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
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:	<u><i>Building Act 2011</i></u> s. 119 Building and demolition permits – application for review by SAT s. 23 Time for deciding application for building or demolition permit <i>Building Services (Complaint Resolution and Administration) Act 2011 – Part 7, Division 2</i> <i>Building and Construction Industry Training Levy Act 1990</i> <i>Heritage Act 2018</i>
Council Policy Link:	Nil
Council Motion/s:	XX/06/2024
Delegation Administration:	This delegation is to be reviewed annually s. 5.46 (2)

Delegation 1.36 Occupancy Permits or Building Approval Certificates	
Function Delegated:	<ol style="list-style-type: none"> 1. Authority to require an applicant to provide any documentation or information required in order to determine an application [s.55]. 2. Authority to grant, refuse to grant or to modify an occupancy permit or building approval certificate [s.58]. 3. Authority to impose, add, vary or revoke conditions on an occupancy permit [s.62(1) and (3)]. 4. Authority to extend, or refuse to extend, the period in which an occupancy permit or modification or building approval certificate has effect [s.65(4) and r.40].
Statutory Power Being Delegated:	<p><i>Building Act 2011:</i> s. 55 Further information s. 58 Grant of occupancy permit, building approval certificate s. 62(1) and (3) Conditions imposed by permit authority s. 65(4) Extension of period of duration <i>Building Regulations 2012</i> r. 40 Extension of period of duration of time limited occupancy permit or building approval certificate (s.65)</p>
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	<p><i>Building Act 2011</i> s. 127(1) & (3) Delegation: special permit authorities and local government</p>
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	Nil
Statutory Power to Sub Delegate	<p><i>Building Act 2011</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)</p>
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 <i>Act</i> is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty.
Compliance Links:	<p><u><i>Building Act 2011</i></u> s. 59 time for granting occupancy permit or building approval certificate s. 60 Notice of decision not to grant occupancy permit or grant building approval certificate s. 121 Occupancy permits and building approval certificates application for review by SAT</p> <p><i>Building Services (Complaint Resolution and Administration) Act 2011</i> Part 7, Division 2</p> <p><i>Building and Construction Industry Training Levy Act 1990</i></p> <p><i>Heritage Act 2018</i></p>

Council Policy Link:	Nil
Council Motion/s:	XX/06/2024
Delegation Administration: This delegation is to be reviewed annually s. 5.46 (2)	