SHIRE OF MINGENEW

DELEGATION REGISTER

Current as at 17 June 2026

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1 Local Government Act 1995 Delegations

1.1 Council to Committees of Council

1.1.1 Dealing with Behaviour Complaints (REMOVED)

Version Control:

1	CDC02 Behaviour Complaints Committee (last reviewed 15 June 2022 – no change)
2	1.1.1 Dealing with Behaviour Complaints (amended 21 June 2023)
-	REMOVED due to changes to Local Government (Model) Code of Conduct Regulations 2021, effective 1 January 2026.

1.1.2 Recruitment, Performance and Termination of the Chief Executive Officer

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.16 Delegation of some powers and duties to certain committees
Express Power or Duty Delegated:	*Local Government Act 1995*: s.5.39A Model standards for CEO recruitment, performance and termination
Delegate:	Executive Management Committee
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	In accordance with Council Policy 1.1.7 CEO Standards for Recruitment, Performance and Termination, authority to: 1. Prepare and recommend to Council the selection criteria and job description for the position of CEO; 2. Form the Selection Panel to conduct the recruitment and selection process for the employment of the CEO; 3. Prepare and make recommendation to Council, the proposed terms of the contract of employment for the CEO 4. Determine the process by which the CEO's performance will be reviewed and any performance criteria to be met by the CEO in addition to the contractual performance criteria 5. Appoint an external consultant to assist with the CEO performance review (if desired) 6. Conduct a review of the CEO's performance at least once per year, in consultation with the CEO, and make recommendations to Council to endorse the review 7. Determine how to address and manage any issues identified in the performance review; 8. Review the CEO's remuneration package annually and make recommendations to Council in relation to remuneration, in accordance with the CEO's contract of employment, having consideration to the CEO's performance, current level of remuneration and the Salaries and Allowances Determination; 9. Consider and make recommendation to Council on any matters that may or do result in the termination of the CEO.
Council Conditions on this Delegation:	a. The Selection Panel for employment of the CEO must include the appointment (by Council) of at least 1 independent person and any other person prior to commencing the recruitment and selection process.
Express Power to Sub-Delegate:	Nil.

Compliance Links:	Local Government Act 1995 Local Government (Administration) Regulations 1996 7.01 Executive Management Committee Terms of Reference (to be developed)

1. Local Government Act 1995 Delegations

	Council Policy 1.1.7 CEO Standards for Recruitment, Performance and Termination Council Policy 1.1.4 Code of Conduct for Council Members, Committee Members and Candidates
Record Keeping:	Committee Minutes shall record the details of each decision made under this delegation in accordance with the requirements of Administration Regulation 19. Committee Minutes shall be received by Council at the next Ordinary meeting of Council.

Version Control:

1	CDC01 Chief Executive Officer's Performance Appraisal (adopted 19 December 2018)
2	1.1.2 Recruitment, Performance and Termination of the Chief Executive Officer (NEW)

1.2 Council to CEO

1.2.1 Authorise Persons to Perform Specified Functions under the Local Government Act 1995

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government Act 1995*: s.3.24 Authorising persons under this Subdivision s.3.31(2) General Procedure for entering property s.3.39(1) Power to remove and impound s.3.40A(1) Abandoned vehicle wreck may be taken s.9.24(1)(c) and (2)(b) Prosecutions, commencing *Local Government (Miscellaneous Provisions) Act 1960* s.449 Pounds, establishing; poundkeepers and rangers, appointing
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to authorise persons for the purposes of *Part 3, Division 3, Subdivision 2 – Certain provisions about land* - to exercise the Local Government's powers under s.3.25 to 3.27 inclusive, to issue and administer notices requiring certain things to be done by owner or occupier of land *[s.3.24]* 2. Authority to authorise persons to enter onto land, premises or thing, without consent of the owner / occupier, unless the owner / occupier objects *[s.3.31(2)]* 3. Authority to authorise an employee to remove and impound any goods that are involved in a contravention that can lead to impounding *[s.3.39(1)]*. 4. Authority to authorise persons to commence prosecutions for offences under the Local Government Act 1995 and any Local Laws made under the Local Government Act 1995 *[s.9.24(1)(c) and (2)(b)]*. 5. Authority to authorise an employee to remove and impound a vehicle that has been determined as an abandoned vehicle wreck *[s.3.40A(1)]*. 6. Authority to appoint fit and proper persons as poundkeepers or rangers *[Misc.Prov.s.449]*.
Council Conditions on this Delegation:	a. A register of Authorisations is to be maintained as a Local Government Record. b. Only persons who are appropriately qualified and trained may be authorised to perform relevant functions. c. Authorisations are to be provided in writing by issuing a Certificate of Authorisation.
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

1. Local Government Act 1995 Delegations

Sub-Delegate/s: *Appointed by CEO*	Nil.
CEO Conditions on this Sub-Delegation: *Conditions on the delegation also apply to sub-delegation.*	Nil additional conditions.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD06 Authorised Persons for the Purposes of the Local Government Act (last reviewed 15 June 2022 – no change) CD11 Remove, Impound and Dispose of Uncollected Goods or Animals (last reviewed 15 June 2022 – no change)
2	1.2.1 Authorise Persons to Perform Specified functions under the Local Government Act 1995 (NEW)
3	1.2.1 – Authorise Persons to Perform Specified functions under the Local Government Act 1995 (last reviewed 18 June 2025 - grammar correction)

1.2.2 Performing Functions Outside the District

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government Act 1995*: s.3.20(1) Performing functions outside district
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Determine the circumstances where it is appropriate for the Local Government's functions to be performed outside the District and prior to implementing such a decision, obtain the consent of the landowner/s and occupier/s and any other person that has control or management of the land impacted by the performance of the function [s.3.20(1)].
Council Conditions on this Delegation:	a. A decision to undertake a function outside the District, can only be made under this delegation where there is a relevant Budget allocation and the performance of the functions does not negatively impact service levels within the District. Where these conditions are not met, the matter must be referred for Council decision. b. A Memorandum of Understanding or another form written agreement with the affected landowner or manager of the land on which the function is to be performed must be established and recorded prior to enacting this delegation.
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	Nil.
CEO Conditions on this Sub-Delegation: *Conditions on the delegation also apply to sub-delegation.*	Nil additional conditions.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	1.2.2 Performing Functions Outside the District (NEW)

1.2.3 Powers of Entry

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government Act 1995*: s.3.28 When this Subdivision applies s.3.31 General procedure for entering property s.3.32 Notice of entry s.3.33 Entry under warrant s.3.34 Entry in an emergency s.3.36 Opening fences
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to exercise powers of entry to enter onto land to perform any of the local Government functions under this Act, other than entry under a Local Law *[s.3.28]*. 2. Authority to authorise persons to enter onto land, premises or thing, without consent of the owner / occupier, unless the owner / occupier objects *[s.3.31(2)]* 3. Authority to give notice of entry [*s.3.32]*. 4. Authority to seek and execute an entry under warrant *[s.3.33]*. 5. Authority to execute entry in an emergency, using such force as is reasonable *[s.3.34(1) and (3)]*. 6. Authority to give notice and effect entry by opening a fence *[s.3.36]*.
Council Conditions on this Delegation:	a. Delegated authority under s.3.34(1) and (3) may only be used, where there is imminent or substantial risk to public safety or property. b. When exercising authority to authorise persons under s.3.31(2): • A register of Authorisations is to be maintained as a Local Government Record. • Only persons who are appropriately qualified and trained may be appointed as Authorised persons. • Authorisations are to be provided in writing by issuing a Certificate of Authorisation.
Express Power to Sub-Delegate:	*Local Government Act 1995*: s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	Nil.
CEO Conditions on this Sub-Delegation:	Nil additional conditions.

1. Local Government Act 1995 Delegations

Conditions on the delegation also apply to sub-delegation.	

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government Act 1995*: Authorise person – refer s.3.31(2)] Part 3, Division 3, Subdivision 3 – prescribes statutory processes for Powers of Entry s.3.34(2) Entry in an emergency – Refer to CEO Delegation
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD10 Powers of Entry (last reviewed 15 June 2022 – no change)
2	1.2.3 Powers of Entry (amended 21 June 2023)
3	1.2.3 Powers of Entry (last reviewed 16 June 2026 – correction to include missing Point 2 of delegation)

1.2.4 Declare Vehicle is Abandoned Vehicle Wreck

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government Act 1995*: s.3.40A(4) Abandoned vehicle wreck may be taken
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Declare that an impounded vehicle is an abandoned vehicle wreck [s.3.40A(4)].
Council Conditions on this Delegation:	a. Disposal of a declared abandoned vehicle wreck to be undertaken in accordance with Delegated Authority 1.2.5 Disposing of Confiscated or Uncollected Goods or alternatively, referred for Council decision. b. NOTE – declared abandoned vehicle wreck may only be removed and impounded by a person duly authorised under s.3.40A(1). Authority to appoint authorised person for this purpose may be delegated refer Delegated Authority 1.2.1 Authorise Persons to Perform Specified Functions.
Express Power to Sub-Delegate:	*Local Government Act 1995*: s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	Manager Works
CEO Conditions on this Sub-Delegation: *Conditions on the delegation also apply to sub-delegation.*	Nil additional conditions.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD11 Remove, Impound and Dispose of Uncollected Goods or Animals (last reviewed 15 June 2022 – no change))
2	1.2.4 Declare Vehicle is an Abandoned Wreck (amended 21 June 2023)

1.2.5 Confiscated or Uncollected Goods

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government Act 1995*: 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
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to refuse to allow goods impounded under s.3.39 or 3.40A to be collected until the costs of removing, impounding and keeping them have been paid to the local government. [s.3.46] 2. Authority to sell or otherwise dispose of confiscated or uncollected goods or vehicles that have been ordered to be confiscated under s.3.43 [s.3.47]. 3. Authority to recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods [s.3.48].
Council Conditions on this Delegation:	a. Disposal of confiscated or uncollected goods, including abandoned vehicles, with a market value less than $20,000 may, in accordance with Functions and General Regulation 30, be disposed of by any means considered to provide best value, provided the process is transparent and accountable. b. NOTE – declared abandoned vehicle wreck may only be removed and impounded by a person duly authorised under s.3.40A(1). Authority to appoint authorised person for this purpose may be delegated - refer Delegated Authority 1.2.1 Authorise Persons to Perform Specified Functions.
Express Power to Sub-Delegate:	*Local Government Act 1995*: s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	Manager Works
CEO Conditions on this Sub-Delegation: *Conditions on the delegation also apply to sub-delegation.*	Nil additional conditions.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government Act 1995*:Part 3, Division 3, Subdivision 3 s.3.58 Disposing of Property – applies to the sale of goods under s.3.47 as if they were property referred to in that section.

1. Local Government Act 1995 Delegations

Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD11 Remove, Impound and Dispose of Uncollected Goods or Animals (last reviewed 15 June 2022 – no change))
2	1.2.5 Confiscated or Uncollected Goods (Amended 21 June 2023)

1.2.6 Disposal of Sick or Injured Animals

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government Act 1995*: s.3.47A Sick or injured animals, disposal of
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to determine when an impounded animal is ill or injured, that treating it is not practicable, and to humanely destroy the animal and dispose of the carcass [s.3.47A(1)].
Council Conditions on this Delegation:	a. Delegation only to be used where the Delegate's reasonable efforts to identify and contact an owner have failed.
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	Manager Works
CEO Conditions on this Sub-Delegation: *Conditions on the delegation also apply to sub-delegation.*	Nil additional conditions.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Record Keeping	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD11 Remove, Impound and Dispose of Uncollected Goods or Animals (last reviewed 15 June 2022 – no change))
2	1.2.6 Disposal of Sick or injured Animals (amended 21 June 2023)
3	1.2.6 Disposal of Sick or injured Animals (amended 17 June 2026 removal of s.3.48 delegation))

1.2.7 Close Thoroughfares to Vehicles

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government Act 1995*: s.3.50 Closing certain thoroughfares to vehicles s.3.50A Partial closure of thoroughfare for repairs or maintenance s.3.51 Affected owners to be notified of certain proposals
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to close a thoroughfare (wholly or partially) to vehicles or particular classes of vehicles for a period not exceeding 4-weeks [s.3.50(1)]. 2. Authority to determine to close a thoroughfare for a period exceeding 4-weeks and before doing so, to: • give; public notice, written notice to the Commissioner of Main Roads and written notice to prescribed persons and persons that own prescribed land; and • consider submissions relevant to the road closure/s proposed [s.3.50(1a), (2) and (4)]. 3. Authority to revoke an order to close a thoroughfare [s.3.50(6)]. 4. Authority to partially and temporarily close a thoroughfare without public notice for repairs or maintenance, where it is unlikely to have significant adverse effect on users of the thoroughfare [s.3.50A] 5. Before doing anything to which section 3.51 applies, take action to notify affected owners and give public notice that allows reasonable time for submissions to be made and consider any submissions made before determining to fix or alter the level or alignment of a thoroughfare or draining water from a thoroughfare to private land [s3.51].
Council Conditions on this Delegation:	a. If, under s.3.50(1), a thoroughfare is closed without giving local public notice, local public notice is to be given as soon as practicable after the thoroughfare is closed [s.3.50(8)]. b. Maintain access to adjoining land [s.3.52(3)] (relevant to the Townsite only).
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	Manager Works

1. Local Government Act 1995 Delegations

CEO Conditions on this Sub-Delegation: *Conditions on the delegation also apply to sub-delegation.*	a. The following listed sub-delegates are limited to determining road closures in an emergency, where it is determined that there is reasonable and imminent risk to public safety or property and subject to the road closure being given effect through sufficient and compliant traffic management: - Manager Works

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD09 Closing of Thoroughfares (last reviewed 15 June 2022 – no change)
2	1.2.7 Close Thoroughfares to Vehicles (amended 21 June 2023)

1.2.8 Control Reserves and Certain Unvested Facilities

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government Act 1995*: s.3.53(3) Control of certain unvested facilities s.3.54(1) Reserves under control of local government
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to agree the method for control and management of an unvested facility which is partially within 2 or more local government districts. [s.3.53(3)]. 2. Authority to do anything for the purpose of controlling and managing land under the control and management of the Shire of Mingenew that the Shire of Mingenew could do under s.5 of the *Parks and Reserves Act 1895*. [s.3.54(1)].
Council Conditions on this Delegation:	a. Limited to matters where the financial implications do not exceed a relevant and current budget allocation and which do not create a financial liability in future budgets.
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	Nil.
CEO Conditions on this Sub-Delegation: *Conditions on the delegation also apply to sub-delegation.*	Nil additional conditions.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD07 Reserves under Control of Local Government (last reviewed 15 June 2022 – no change)
2	1.2.8 Control Reserves and Certain Unvested Facilities (amended 21 June 2023)
3	1.2.8 Control Reserves and Certain Unvested Facilities (last reviewed 19 June 2024 – no change)
4	1.2.8 Control Reserves and Certain Unvested Facilities (last reviewed 18 June 2025 – no change)

1.2.9 Obstruction of Footpaths and Thoroughfares

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government (Uniform Local Provisions) Regulations 1996*: r.5(2) Interfering with, or taking from, local government land r.6 Obstruction of public thoroughfare by things placed and left - Sch. 9.1 cl. 3(1)(a) r.7A Obstruction of public thoroughfare by fallen things – Sch.9.1 cl.3(1)(b) r.7 Encroaching on public thoroughfare – Sch.9.1. cl.3(2)
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to determine, by written notice served on a person who is carrying out plastering, painting or decorating operations (the work) over or near a footpath on land that is local government property, to require the person to cover the footpath during the period specified in the notice so as to: a. prevent damage to the footpath; or b. prevent inconvenience to the public or danger from falling materials [ULP r.5(2)]. 2. Authority to provide permission including imposing appropriate conditions or to refuse to provide permission, for a person to place on a specified part of a public thoroughfare one or more specified things that may obstruct the public thoroughfare. [ULP r.6(2) and (4)]. 3. Authority to renew permission to obstruct a thoroughfare and to vary any condition imposed on the permission effective at the time written notice is given to the person to whom permission is granted [ULP r.6(6)]. 4. Authority to require an owner or occupier of land to remove any thing that has fallen from the land or from anything on the land, which is obstructing a public thoroughfare [ULP r.7A]. 5. Authority to require an owner occupier of land to remove any part of a structure, tree or plant that is encroaching, without lawful authority on a public thoroughfare [ULP r.7].
Council Conditions on this Delegation:	a. Actions under this Delegation must comply with procedural requirements detailed in *the Local Government (Uniform Local Provisions) Regulations 1996*. b. Permission may only be granted where, the proponent has: i. Where appropriate, obtained written permission from each owner of adjoining or adjacent property which may be impacted by the proposed obstruction.

1. Local Government Act 1995 Delegations

	ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good public assets damaged by the obstruction at the completion of works. iii. Provided evidence of sufficient Public Liability Insurance. iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	Nil.
CEO Conditions on this Sub-Delegation: *Conditions on the delegation also apply to sub-delegation.*	Nil additional conditions.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Determination of Bond Value and Conditions - refer to CEO Delegation 1.3.2 – Public Thoroughfare Obstruction – Determine Conditions Local Government (Uniform Local Provisions) Regulations 1996 Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the *Local Government Act 1995*
Record Keeping	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD08 Thoroughfares (last reviewed 15 June 2022 – no change)
2	1.2.9 Obstruction of Footpaths and Thoroughfares (amended 21 June 2023)
3	1.2.9 Obstruction of Footpaths and Thoroughfares (last reviewed 19 June 2024 – no change)
4	1.2.9 Obstruction of Footpaths and Thoroughfares (last reviewed 18 June 2025 – no change)

1.2.10 Gates Across Public Thoroughfares

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government (Uniform Local Provisions) Regulations 1996*: r.9 Permission to have gate across public thoroughfare – Sch.9.1 cl.5(1)
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to provide, or refuse to provide, permission to have a gate or other device across a local government thoroughfare that permits the passage of vehicle traffic and prevents livestock straying [ULP r.9(1)]. 2. Authority to require an applicant to publish a notice of the application in a manner thought fit for the purpose of informing persons who may be affected by the proposed gate or device [r.9(2)]. 3. Authority to impose conditions on granting permission [ULP r.9(4)]. 4. Authority to renew permission, or at any other time vary any condition, effective upon written notice to the person to whom permission was granted [ULP r.9(5)]. 5. Authority to cancel permission by written notice, and request the person to whom permission was granted to remove the gate or device within a specified time [ULP r.9(6)].
Council Conditions on this Delegation:	a. Actions under this Delegation must comply with procedural requirements detailed in the *Local Government (Uniform Local Provisions) Regulations 1996*. b. Each approval provided must be recorded in the Shire of Mingenew's statutory Register of Gates in accordance with Uniform Local Provisions Regulation 8.
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	Nil.
CEO Conditions on this Sub-Delegation: *Conditions on the delegation also apply to sub-delegation.*	Nil additional conditions.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.

1. Local Government Act 1995 Delegations

	Local Government (Uniform Local Provisions) Regulations 1996 – prescribe applicable statutory procedures Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the *Local Government Act 1995*
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD08 Thoroughfares (last reviewed 15 June 2022 – no change)
2	1.2.10 Gates Across Public Thoroughfares
3	1.2.10 Gates Across Public Thoroughfares (last reviewed 19 June 2024 – no change)
4	1.2.10 Gates Across Public Thoroughfares (last reviewed 18 June 2025 – no change)

1.2.11 Public Thoroughfare – Dangerous Excavations

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government (Uniform Local Provisions) Regulations 1996*: r.11(1), (4), (6) & (8) Dangerous excavation in or near public thoroughfare – Sch.9.1 cl.6
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to determine if an excavation in or on land adjoining a public thoroughfare is dangerous and take action to fill it in or fence it or request the owner / occupier in writing to fill in or securely fence the excavation [ULP r.11(1)]. 2. Authority to determine to give permission or refuse to give permission to make or make and leave an excavation in a public thoroughfare or land adjoining a public thoroughfare [ULP r.11(4)]. 3. Authority to impose conditions on granting permission [ULP r.11(6)]. 4. Authority to renew a permission granted or vary at any time, any condition imposed on a permission granted [ULP r.11(8)].
Council Conditions on this Delegation:	a. Actions under this Delegation must comply with procedural requirements detailed in the *Local Government (Uniform Local Provisions) Regulations 1996*. b. Permission may only be granted where, the proponent has: i. Where appropriate, obtained written permission from or entered into a legal agreement with, each owner of adjoining or adjacent property which may be impacted by the proposed works. ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good the public assets at the completion of works. iii. Provided evidence of sufficient Public Liability Insurance. iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	Manager Works
CEO Conditions on this Sub-Delegation:	Nil additional conditions.

1. Local Government Act 1995 Delegations

Conditions on the delegation also apply to sub-delegation.	

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Determination of Bond Value and Conditions - refer to CEO Delegation 1.3.3 – Determine and Manage Conditions on Permission for Dangerous Excavations on or on land adjoining Public Thoroughfares *Local Government (Uniform Local Provisions) Regulations 1996* – prescribe applicable statutory procedures Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the *Local Government Act 1995*
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD08 Thoroughfares (last reviewed 15 June 2022 – no change)
2	1.2.11 Public Thoroughfare – Dangerous Excavations (amended 21 June 2023)
3	1.2.11 Public Thoroughfare – Dangerous Excavations (last reviewed 19 June 2024 – no change)
4	1.2.11 Public Thoroughfare – Dangerous Excavations (last reviewed 18 June 2025 – no change)

1.2.12 Crossing – Construction, Repair and Removal

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995*: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government (Uniform Local Provisions) Regulations 1996*: r.12(1) Crossing from public thoroughfare to private land or private thoroughfare – Sch.9.1 cl.7(2) r.13(1) Requirement to construct or repair crossing – Sch.9.1 cl.7(3)
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to approve or refuse to approve, applications for the construction of a crossing giving access from a public thoroughfare to land or private thoroughfare serving land [ULP r,12(1)]. 2. Authority to determine the specifications for construction of crossings to the satisfaction of the Local Government [ULP r.12(1)(a)]. 3. Authority to give notice to an owner or occupier of land requiring the person to construct or repair a crossing [ULP r.13(1)]. 4. Authority to initiate works to construct a crossing where the person fails to comply with a notice requiring them to construct or repair the crossing and recover 50% of the cost of doing so as a debt due from the person [ULP r.13(2)].
Council Conditions on this Delegation:	a. Actions under this Delegation must comply with procedural requirements detailed in the *Local Government (Uniform Local Provisions) Regulations 1996*.
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	Manager Works
CEO Conditions on this Sub-Delegation: *Conditions on the delegation also apply to sub-delegation.*	Nil additional conditions.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government (Uniform Local Provisions) Regulations 1996* – prescribe applicable statutory procedures Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the *Local Government Act 1995* Council Policy 1.5.3 Crossovers Policy

1. Local Government Act 1995 Delegations

Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD30 Crossing – Construction, Repair and Removal (last reviewed 15 June 2022 – no change)
2	1.2.12 Crossing – Construction, Repair and Removal (amended 21 June 2023)
3	1.2.12 Crossing – Construction, Repair and Removal (last reviewed 19 June 2024 – no change)
4	1.2.12 Crossing – Construction, Repair and Removal (last reviewed 18 June 2025 – no change)

1.2.13 Private Works on, over or under Public Places

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government Act 1995*: r.17 Private works on, over, or under public places – Sch.9.1 cl.
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to grant permission or refuse permission to construct a specified thing on, over, or under a specified public thoroughfare or public place that is local government property [ULP r.17(3)]. 2. Authority to impose conditions on permission including those prescribed in r.17(5) and (6) [ULP r.17(5)].
Council Conditions on this Delegation:	a. Actions under this Delegation must comply with procedural requirements detailed in the *Local Government (Uniform Local Provisions) Regulations 1996*. b. Permission may only be granted where, the proponent has: i. Where appropriate, obtained written permission from or entered into a legal agreement with, each owner of adjoining or adjacent property which may be impacted by the proposed private works. ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good the public place at the completion of works. iii. Provided evidence of sufficient Public Liability Insurance. iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	Manager Works
CEO Conditions on this Sub-Delegation: *Conditions on the delegation also apply to sub-delegation.*	Nil additional conditions.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government (Uniform Local Provisions) Regulations 1996* – prescribe applicable statutory procedures

1. Local Government Act 1995 Delegations

	Determination of Bond Value and Conditions - refer to CEO Delegation 1.3.4 Determine and Manage Conditions on Permission for Private Works on, over, or under Public Places Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the *Local Government Act 1995*
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD08 Thoroughfares (last reviewed 15 June 2022 – no change)
2	1.2.13 Private Works on, over or under Public Places (amended 21 June 2023)
3	1.2.13 Private Works on, over or under Public Places (last reviewed 19 June 2024 – no change)
4	1.2.13 Private Works on, over or under Public Places (last reviewed 18 June 2025 – no change)

1.2.14 Expressions of Interest for Goods and Services

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government Act 1995*: s.3.57 Tenders for providing goods or services *Local Government (Functions and General) Regulations 1996:* r.21 Limiting who can tender, procedure for r.23 Rejecting and accepting expressions of interest to be acceptable tenderer
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to determine when to seek Expressions of Interest and to invite Expressions of Interest for the supply of goods or services [F&G r.21]. 2. Authority to consider Expressions of Interest which have not been rejected and determine those which are capable of satisfactorily providing the goods or services, for listing as acceptable tenderers [F&G r.23].
Council Conditions on this Delegation:	a. Expressions of Interest may only be called where there is an adopted budget for the proposed goods or services or where there is a reasonable expectation that the goods or services will be required for a planned and currently budgeted project or service delivery activity, and no contract shall be awarded until appropriate budget provision is confirmed.
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	Nil.
CEO Conditions on this Sub-Delegation: *Conditions on the delegation also apply to sub-delegation.*	Nil additional conditions.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government (Functions and General) Regulations 1996* – prescribe applicable statutory procedures WALGA Subscription Service – Procurement Toolkit Council Policy 1.3.1 Purchasing Policy
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Delegation Register

Shire of Mingenew

1. Local Government Act 1995 Delegations

Version Control:

1	CD28 Expressions of Interest for Goods and Services (last reviewed 15 June 2022 – no change)
2	1.2.14 Expressions of Interest for Goods and Services (amended 21 June 2023)
3	1.2.14 Expressions of Interest for Goods and Services (amended 19 June 2024 – no change)
4	1.2.14 Expressions of Interest for Goods and Services (amended 18 June 2025 – expansion of condition 1)

1.2.15 Tenders for Goods and Services – Call Tenders

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government Act 1995*: s.3.57 Tenders for providing goods or services *Local Government (Functions and General) Regulations 1996:* r.11(1), (2) When tenders have to be publicly invited r.13 Requirements when local government invites tenders though not required to do so r.14 Publicly inviting tenders, requirements for
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to call tenders [F&G r.11(1)]. 2. Authority to invite tenders although not required to do so [F&G r.13]. 3. Authority to determine in writing, before tenders are called, the criteria for acceptance of tenders [F&G r.14(2a)]. 4. Authority to determine the information that is to be disclosed to those interested in submitting a tender [F&G r.14(4)(a)]. 5. Authority to vary tender information after public notice of invitation to tender and before the close of tenders, taking reasonable steps to ensure each person who has sought copies of the tender information is provided notice of the variation [F&G r.14(5)].
Council Conditions on this Delegation:	a. Tenders may only be called where there is an adopted budget for the proposed goods or services, with the exception being in the period immediately prior to the adoption of a new Annual Budget where : i. the proposed goods or services are required to fulfil a routine contract related to the day to day operations of the Local Government; or ii. a current supply contract expiry is imminent; and iii. the value of the proposed new contract has been included in the draft Annual Budget proposed for adoption, and iv. the tender specification includes a provision that the tender will only be awarded subject to the budget adoption by the Council. b. The decision under this delegation cannot be enacted if it falls within the Local Government Caretaker period, unless otherwise prescribed [s.3.73 LGA].
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

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

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government (Functions and General) Regulations 1996* – prescribe applicable statutory procedures WALGA Subscription Service – Procurement Toolkit Council Policy 1.3.1 Purchasing Policy
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD25 Tenders for Goods and Services – Call for Tenders (last reviewed 15 June 2022 – no change)
2	1.2.15 Tenders for Goods and Services – Call Tenders (amended 21 June 2023)
3	1.2.15 Tenders for Goods and Services – Call for Tender (amended 19 June 2024 – no change)
4	1.2.15 Tenders for Goods and Services – Call for Tender (amended 18 June 2025 – inclusion of caretaker period restrictions)

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

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government Act 1995*: s.3.57 Tenders for providing goods or services *Local Government (Functions and General) Regulations 1996:* r.11(2)(j) Exercising contract extension options r.18(2), (4), (4a), (5), (6) and (7) Rejecting and accepting tenders r.20(1), (2), (3) Variation of requirements before entry into contract r.21A Varying a contract for the supply of goods or services
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to determine whether or not to reject tenders that do not comply with requirements as specified in the invitation to tender [F&G.r.18(2)]. 2. Authority to seek clarification from tenderers in relation to information contained in their tender submission [F&G r.18(4a)]. 3. Authority to assess, by written evaluation, tenders that have not been rejected, to determine: i. The extent to which each tender satisfies the criteria for deciding which tender to accept; and ii. To accept the tender that is most advantageous within $250,000 detailed as a condition on this Delegation [F&G r.18(4)]. 4. Authority to decline to accept any tender [F&G r.18(5)]. 5. Authority to accept the next most advantageous tender if, within 6-months of accepting a tender, a contract has not been entered into OR the local government and the successful tenderer agree to terminate the contract [F&G r.18(6) & (7)]. 6. Authority to determine whether variations in goods and services required are minor variations, and to negotiate with the successful tenderer to make minor variations before entering into a contract [F&G r.20(1) and (3)]. 7. Authority to choose the next most advantageous tender to accept, if the chosen tenderer is unable or unwilling to form a contract to supply the varied requirement OR the minor variation cannot be agreed with the successful tenderer, so that the tenderer ceases to be the chosen tenderer [F&G r.20(2)]. 8. Authority to vary a tendered contract, after it has been entered into, provided the variation/s are necessary for the goods and services to be supplied, and do not change the scope of the

	original contract or increase the contract value beyond 10% or to a maximum of $50,000 whichever is the lesser value [F&G r.21A(a)]. 9. Authority to exercise a contract extension option that was included in the original tender specification and contract in accordance with r.11(2)(j).
Council Conditions on this Delegation:	a. Exercise of authority under F&G.r.18(2) requires consideration of whether or not the requirements as specified in the invitation to tender have been expressed as mandatory and if so, discretion may not be capable of being exercised – consider process contract implications. b. In accordance with s.5.43(b), tenders may only be accepted under this delegation, where: i. The total consideration under the resulting contract is $250,000 or less; ii. The expense is included in the adopted Annual Budget; and iii. The tenderer has complied with requirements under F&G r.18(2) and (4). c. A decision to vary a tendered contract before entry into the contract *[F&G r.20(1) and (3)]* must include evidence that the variation is minor in comparison to the total goods or services that tenderers where invited to supply. d. A decision to renew or extend the contract must only occur where the original contract contained the option to renew or extend its term as per r.11(2)(j) and that the contractor's performance has been reviewed and the review evidences the rationale for entering into the extended term. e. The decision under this delegation cannot be enacted if it falls within the Local Government Caretaker period, unless otherwise prescribed [s.3.73 LGA].
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

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

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government (Functions and General) Regulations 1996* – prescribe applicable statutory procedures

1. Local Government Act 1995 Delegations

	WALGA Subscription Service – Procurement Toolkit Council Policy 1.3.1 Purchasing Policy
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD25 Tenders for Goods and Services – Accepting and Rejecting Tenders; Varying Contracts; exercising Contract Extension Options (last reviewed 15 June 2022 – no change)
2	1.2.16 Tenders for Goods and Services – Accepting and Rejecting Tenders; Varying Contracts; Exercising Contract Extension Options (amended 21 June 2023)
3	1.2.16 Tenders for Goods and Services – Accepting and Rejecting Tenders; Varying Contracts; exercising Contract Extension Options (amended 19 June 2024 – no change)
4	1.2.16 Tenders for Goods and Services – Accepting and Rejecting Tenders; Varying Contracts; exercising Contract Extension Options (amended 18 June 2025 – inclusion of caretaker period restrictions)

1.2.17 Tenders for Goods and Services - Exempt Procurement

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government Act 1995*: s.3.57 Tenders for providing goods or services *Local Government (Functions and General) Regulations 1996:* r.11(2) When tenders have to be publicly invited (*exemptions*)
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to undertake tender exempt procurement, in accordance with the Purchasing Policy requirements, where the total consideration under the resulting contract is expected to be included in the adopted Annual Budget [F&G.r.11(2)]. 2. Authority to, because of the unique nature of the goods or services or for any other reason it is unlikely that there is more than one supplier, determine to contract directly with a suitable supplier [F&G r.11(2)(f)].
Council Conditions on this Delegation:	a. Tender exempt procurement under F&G.r.11(2) may only be approved where the total consideration under the resulting contract is expected to be less than the maximum $value specified for the following categories:

Category	Maximum Value for individual contracts
WALGA Preferred Supplier Program *[F&G.r.11(2)(b)]*	$250,000
Goods or services obtained through the Government of the State or Commonwealth or any of its agencies, or by a local government or regional local government *[F&G.r.11(2)(e)]*	$250,000
Goods or services that are determined to be unique so that it is unlikely that there is more than one supplier in accordance with delegation condition (b.) specified below *[F&G.r.(2)(f)]*	$250,000
Supply of petrol, oil or any other liquid or gas used for internal combustion engines *[F&G.r.11(2)(g)]*	$250,000
Goods or services supplied by a person registered on the Aboriginal Business Directory WA OR Indigenous Minority Supplier Office Limited (T/as Supply Nation)	<$250,000* **as specified in F&G.r.11(2)(h)(ii)*

1. Local Government Act 1995 Delegations

	AND where satisfied that the contract represents value for money. *[F&G.r.11(2)(h)]* —
	Goods or services supplied by an Australian Disability Enterprise *[F&G.r.11(2)(i)]* — $250,000
	b. Tender exempt procurement under F&G r.11(2)(f) may only be approved where a record is retained that evidences: i. A detailed specification; ii. The outcomes of market testing of the specification; iii. The reasons why market testing has not met the requirements of the specification; iv. Rationale for why the supply is unique and cannot be sourced through other suppliers; and v. The expense is included in the adopted Annual Budget. c. Where the total consideration of a Tender Exempt procurement contract exceeds the $250,000 delegated above, the decision is to be referred to Council. d. The decision under this delegation cannot be enacted if it falls within the Local Government Caretaker period, unless otherwise prescribed [s.3.73 LGA].
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

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

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government (Functions and General) Regulations 1996* – prescribe applicable statutory procedures WALGA Subscription Service – Procurement Toolkit Council Policy 1.3.1 Purchasing Policy
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD26 Tenders for Goods and Services – Exempt Procurement (last reviewed 15 June 2022 – no change)
2	1.2.17 Tenders for Goods and Services - Exempt Procurement (amended 21 June 2023)
3	1.2.17 Tenders for Goods and Services – Exempt Procurement (amended 19 June 2024 – no change)

1. Local Government Act 1995 Delegations

4	1.2.17 Tenders for Goods and Services – Exempt Procurement (amended 18 June 2025 – inclusion of caretaker period restrictions)

1.2.18 Panels of Pre-Qualified Suppliers for Goods and Services

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government (Functions and General) Regulation 1996*: r.24AB Local government may establish panels of pre-qualified suppliers r.24AC(1)(b) Requirements before establishing panels of pre-qualified suppliers r.24AD(3) & (6) Requirements when inviting persons to apply to join panel of pre-qualified suppliers r.24AH(2), (3), (4) and (5) Rejecting and accepting applications to join panel of pre-qualified suppliers
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to determine that a there is a continuing need for the goods or services proposed to be provided by a panel of pre-qualified suppliers [F&G r.24AC(1)(b)]. 2. Authority to, before inviting submissions, determine the written criteria for deciding which application should be for inclusion in a panel of pre-qualified suppliers should be accepted [F&G r.24AD(3)]. 3.. Authority to vary panel of pre-qualified supplier information after public notice inviting submissions has been given, taking reasonable steps to each person who has enquired or submitted an application is provided notice of the variation [F&G r.24AD(6)]. 4. Authority to reject an application without considering its merits, where it was submitted at a place and within the time specified, but fails to comply with any other requirement specified in the invitation [F&G r.24AH(2)]. 5. Authority to assess applications, by written evaluation of the extent to which the submission satisfies the criteria for deciding which applicants to accept, and decide which applications to accept as most advantageous [F&G r.24AH(3)]. 6. Authority to request clarification of information provided in a submission by an applicant [F&G r.24AH(4)]. 7. Authority to decline to accept any application [F&G r.24AH(5). 8. Authority to enter into contract, or contracts, for the supply of goods or services with a pre-qualified supplier, as part of a panel of pre-qualified suppliers for those particular goods or services [F&G r.24AJ(1)].
Council Conditions on this Delegation:	a. In accordance with s.5.43, panels of pre-qualified suppliers may only be established, where the total consideration under the resulting contract is $250,000 or less and the expense is included in the adopted Annual Budget.
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	Nil.

1. Local Government Act 1995 Delegations

CEO Conditions on this Sub-Delegation: *Conditions on the delegation also apply to sub-delegation.*	a. Each sub-delegate may only use the sub-delegation in regard to contracts that are within the scope of the incumbent's position role and responsibilities.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government (Functions and General) Regulations 1996* – prescribe applicable statutory procedures WALGA Subscription Service – Procurement Toolkit Council Policy 1.3.1 Purchasing Policy Council Policy 1.2.9 Pre-Qualified Supplier Panels Management Procedure 1.2.9 Pre-Qualified Suppliers
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD27 Panels of Pre-Qualified Suppliers for Goods and Services (last reviewed 15 June 2022 – no change)
2	1.2.18 Panels of Pre-Qualified Suppliers for Goods and Services (amended 21 June 2023)
3	1.2.18 Panels of Pre-Qualified Suppliers for Goods and Services (last reviewed 19 June 2024 – no change)
4	1.2.18 Panels of Pre-Qualified Suppliers for Goods and Services (last reviewed 18 June 2025 – no change)

1.2.19 Application of Regional Price Preference Policy

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government (Functions and General) Regulations 1996:*: r.24G Adopted regional price preference policy, effect of
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to decide when not to apply the regional price preference policy to a particular future tender [F&G r.24G].
Council Conditions on this Delegation:	a. This delegation is to be carried out in accordance with Council's Regional Price Preference Policy and Purchasing Policy and Procedures. b. This delegation may only be enacted where the CEO has reason to believe applying a regional price preference would limit the number or quality of tenders to the Shire's disadvantage. c. A decision not to apply the Regional Price Preference must be outlined in any public notice and tender documentation related to the tender.
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

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

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Council Policy 1.3.7 Regional Price Preference
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD29 Application of Regional Price Preference Policy (last reviewed 15 June 2022 – no change)
2	1.2.19 Application of Regional price Preference Policy (amended 21 June 2023)
3	1.2.19 Application of Regional Price Preference Policy (last reviewed 19 June 2024 – no change)
4	1.2.19 Application of Regional Price Preference Policy (last reviewed 18 June 2025 – no change)

1.2.20 Renewal or Extension of Contracts during a State of Emergency

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government Act 1995*: s.3.57 Tenders for providing goods or services *Local Government (Functions and General) Regulations 1996:* Regulation 11 'When tenders have to be publicly invited' Tender exemption under sub regulation 11(2)(ja)
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	Authority, only to be exercised when a State of Emergency declaration is in force and applies to all or part of the District, to execute a renewal or extension to the term of a contract that will expire within 3 months, for a term of not more than 12 months from the original expiry date, without calling for tenders [F&G r.11(2)(ja)]. This authority relates to: • contracts not formed through a public tender, where the total value of the original term and the proposed extension or renewal exceeds $250,000, and • contracts formed through a public tender.
Council Conditions on this Delegation:	a. The authority to apply the renewal or extension option may be exercised where one or more of the following principles applies: i. It is exercised at the sole discretion of the Local Government; ii. It is in the best interests of the Local Government; iii. It is deemed necessary to facilitate the role of Local Government in relation to the State of Emergency declaration; iv. It has potential to promote local and/or regional economic benefits. b. This authority may only be exercised where the total consideration for the renewal or extension is $250,000 or less. c. Contracts may only be renewed or extended where there is an adopted and available budget for the proposed goods and services, OR where the expenditure from an alternative available budget allocation has been authorised in advance by the Mayor or President (i.e. before the expense is incurred) in accordance with LGA s.6.8(1)(c). d. The decision to extend or renew a contract must be made in accordance with the objectives of the Purchasing Policy. e. This authority may only be exercised where the total consideration under the resulting contract is $250,000 or less. f. The CEO cannot sub-delegate this authority.
Express Power to Sub-Delegate:	Not applicable

1. Local Government Act 1995 Delegations

Compliance Links:	Local Government (Functions and General) Regulations 1996 WALGA Subscription Service – Procurement Toolkit Council Policy 1.3.1 Purchasing Policy
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	1.2.20 Renewal or Extension of Contracts during a State of Emergency (NEW 15 June 2022)
2	1.2.20 Renewal or Extension of Contracts during a State of Emergency (last reviewed 21 June 2023 – no change)
3	1.2.20 Renewal or Extension of Contracts during a State of Emergency (last reviewed 19 June 2024 – no change)
4	1.2.20 Renewal or Extension of Contracts during a State of Emergency (last reviewed 18 June 2025 – no change)

1.2.21 Procurement of Goods or Services required to address a State of Emergency

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government Act 1995*: s.3.57 Tenders for providing goods or services *Local Government (Functions and General) Regulations 1996:* Regulation 11 'When tenders have to be publicly invited' Tender exemption under subregulation 11(2)(aa) Associated definition under subregulation 11(3)
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	Authority, only to be exercised when a State of Emergency declaration is in force and applies to all or part of the District, to: 1. Determine that particular goods or services with a purchasing value >$250,000 are required for the purposes of addressing the impact, consequences or need arising from the hazard to which the State of Emergency declaration relates [F&G r11(3)(b)]; and 2. Undertake tender exempt purchasing activity to obtain the supply of those goods or services identified in accordance with point 1 above [F&G r.11(2)(aa)].
Council Conditions on this Delegation:	a. This authority may only be exercised where the goods or services are urgently required, and it is not possible for Council to meet within an appropriate timeframe. b. Compliance with the Purchasing Policy is required, but only to the extent that such compliance will not incur an unreasonable delay in providing the required urgent response to the State of Emergency hazard. The rationale for non-compliance with Purchasing Policy must be evidenced in accordance with the Record Keeping Plan. c. Where a relevant budget allocation is not available and a purchase is necessary in response to a State of Emergency, the expenditure from an alternative available budget allocation must be authorised in advance by the Mayor or President (i.e. before the expense is incurred) in accordance with LGA s.6.8. d. The CEO is to inform Council Members after the exercise of this delegation, including details of the contract specification, scope and purchasing value and the rationale for determining that the goods or services were urgently required in response to the State of Emergency declaration. e. The CEO cannot sub-delegate this authority.

Compliance Links:	Local Government (Functions and General) Regulations 1996 WALGA Subscription Service – Procurement Toolkit

1. Local Government Act 1995 Delegations

	Council Policy 1.3.1 Purchasing Policy
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	1.2.21 Procurement of Goods or Services required to address a State of Emergency (NEW 15 June 2022)
2	1.2.21 Procurement of Goods or Services required to address a State of Emergency (last reviewed 21 June 2023 – no change)
3	1.2.21 Procurement of Goods or Services required to address a State of Emergency (last reviewed 19 June 2024 – no change)
4	1.2.21 Procurement of Goods or Services required to address a State of Emergency (last reviewed 18 June 2025 – no change)

1.2.22 Disposing of Property

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government Act 1995*: s.3.58(2) & (3) Disposing of Property *Local Government (Functions and General) Regulations 1996:* R.30 Dispositions of property excluded from Act s.3.58
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to dispose of property to: (a) the highest bidder at public auction [s.3.58(2)(a)]. (b) the person who at public tender called by the local government makes what is considered by the delegate to be, the most acceptable tender, whether or not it is the highest tender [s.3.58(2)(b)] 2. Authority to dispose of property by private treaty only in accordance with section 3.58(3) and prior to the disposal, to consider any submissions received following the giving of public notice [s.3.58(3)]. 3. Authority to dispose of property, that is prescribed as exempt from the provisions of s.3.58: (a) disposal of land to an adjoining owner, where the market value is less than $5,000 and the delegate has determined that the land would not be of benefit to anyone other than the adjoining owner. [F&G.r.30(2)(a)] (b) disposal of land, by lease, to an employee of the local government for use as the employee's residence [F&G.r.30(2)(d)]. (c) disposal of land, by lease, for a period of less than 2 years during all or any of which time the lease does not give the lessee the exclusive use of the land. [F&G..r.30(20(e)] (d) disposal of land, by lease, of a residential property to a person for residential purposes [F&G.r.30(2)(f)]. (e) disposal of property (other than land / buildings), where the property is disposed within 6 months after it has been unsuccessfully put out to auction, public tender or private treaty via Statewide public notice [F&G.r.(2A)] (f) disposal of property, other than land / buildings, where the market value is determined as less than $20,000. [F&G r.30(3)(a)] (g) disposal of property, other than land / buildings, where the entire consideration received for the disposal is used to purchase other property AND the total value of the other property is not more, or worth more, than $75,000. [F&G.r.30(3)(b)]
Council Conditions on this Delegation:	a. Disposal of land or building assets is limited to matters specified in the Annual Budget and in any other case, a Council resolution is required.

1. Local Government Act 1995 Delegations

	b. In accordance with s.5.43, disposal of property, for any single project or where not part of a project but part of a single transaction, is limited to a value of less than $250,000. c. When determining the method of disposal: • Where a public auction is determined as the method of disposal: o Reserve price has been set by independent valuation. o Where the reserve price is not achieved at auction, negotiation may be undertaken to achieve the sale at up to a -10% variation on the set reserve price. • Where a public tender is determined as the method of disposal and the tender does not achieve a reasonable price for the disposal of the property, then the CEO is to determine if better value could be achieved through another disposal method and if so, must determine not to accept any tender and use an alternative disposal method. • Where a private treaty is determined [s.3.58(3)] as the method of disposal, authority to: o Negotiate the sale of the property up to a -10% variance on the valuation; and o Consider any public submissions received and determine if to proceed with the disposal, ensuring reasons for the decision are recorded. • A disposal under Functions and General Regulations 30(2)(a),(f), (2A) or (3)(a),(b), the disposal method selected must obtain a best value outcome for the Local Government. • A disposal under Functions and General Regulations 30(2)(d), must be assessed as equitable in context of disposals to other employees of the Local Government. • Disposal methodology must consider and where practicable demonstrate environmentally responsible outcomes. d. The decision under this delegation cannot be enacted if it falls within the Local Government Caretaker period, unless otherwise prescribed [s.3.73 LGA].
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	Nil.
CEO Conditions on this Sub-Delegation: *Conditions on the delegation also apply to sub-delegation.*	Nil additional conditions.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government Act 1995* – s.3.58 Disposal of Property *Local Government (Functions and General) Regulations 1995* – r.30 Dispositions of property excluded from Act s. 3.58
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of

	persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD05 Disposal of Land (including Buildings) via Lease or Licence (last reviewed 15 June 2022 – no change)
2	1.2.22 Disposing of Property (amended 21 June 2023)
3	1.2.22 Disposing of Property (last reviewed 19 June 2024 – no change)
4	1.2.22 Disposing of Property (amended 18 June 2025 – inclusion of caretaker period restrictions)

1.2.23 Acquisition of Interest in Land by Lease or other Short Term Instrument

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government Act 1995*: s.3.59 Commercial enterprises by local governments *Local Government (Functions and General) Regulations 1996:* r.8A Amount prescribed for major land transactions; exempt land transactions prescribed r.8 Exempt land transactions prescribed
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to acquire an interest in land (includes buildings), by lease or other short term instrument ONLY, where the total value of the consideration and anything done by the Shire of Mingenew is less than the threshold amount for a major land transaction [s.3.59(1), r.8A(1)]. 2. Authority to acquire an interest in land by lease or other short term instrument ONLY through an exempt land transaction [s.3.59(1), r.8(1)]: a. without intending to produce a profit to the Local Government; and b. without intending that another person will be sold, or given joint or exclusive use of, all or any of the land involved in the transaction.
Council Conditions on this Delegation:	a. Delegation excludes authority to purchase in fee simple land or buildings and is therefore limited to leases, rental or other short term acquisition instruments that do not commit the Local Government for a period greater than 12 months. b. Delegation is limited to acquisitions that are necessary to achieve an objective determined by Council resolution, including objectives identified in the adopted Corporate Business Plan, a Policy or Strategy and for which an associated budget allocation has been included, and is available, in the Annual Budget. NOTE - Examples of acquisitions necessary to achieve an approved objective may include; hire a venue for a community event or short term lease of storage space for equipment while a refurbishment is completed. c. Where the acquisition total consideration value is greater than $50,000, the value is to be verified by at least one written valuation obtained from a suitably licensed valuer not more than 3-months prior to the execution of the associated acquisition contract. d. In accordance with s.5.43, this delegation is limited to acquisitions that have a total consideration value of $50,000 or less. e. Documents that give effect to an acquisition under this delegation, must be executed by a person duly authorised under s.9.49A.
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	Nil.

1. Local Government Act 1995 Delegations

CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to subdelegations.*	Nil additional conditions.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government Act 1995* s.3.59 Commercial enterprises by local Government s.9.49A Execution of documents s.6.2 Annual Budget Corporate Business Plan as adopted by Council *Local Government (Functions and General) Regulations 1995* – Regulations 8A and 8 *Residential Tenancy Act 1987* *Commercial Tenancy (Retail Shops) Agreements Act 1985*
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	1.2.23 Acquisition of Interest in Land by Lease or other Short Term Instrument (NEW 15 June 2021)
2	1.2.23 Acquisition of Interest in Land by Lease or other Short Term Instrument (last reviewed 21 June 2023 – no change)
3	1.2.23 Acquisition of Interest in Land by Lease or other Short Term Instrument (last reviewed 19 June 2024– no change)
4	1.2.23 Acquisition of Interest in Land by Lease or other Short Term Instrument (last reviewed 18 June 2025 – no change)

1.2.24 Payments from the Municipal or Trust Funds

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government (Financial Management) Regulations1996*: r.12(1)(a) Payments from municipal fund or trust fund, restrictions on making
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to make payments from the municipal or trust funds [FM.r.12(1)(a)].
Council Conditions on this Delegation:	a. Authority to make payments is subject to annual budget limitations. b. The purchase of freehold land and real estate are to be by Council Resolution.
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	Manager Corporate Services Manager Governance and Community Manager Works
CEO Conditions on this Sub-Delegation: *Conditions on the delegation also apply to sub-delegation.*	1. Delegates must comply with the Procedures approved by the CEO in accordance with Financial Management Regulation 5. 2. Payments by Cheque and EFT transactions must be approved jointly by two Delegates, one of whom must be the Chief Executive Officer, Manager Corporate Services or Manager Governance and Community . 3. Delegates that approve the payment must not verify the liability. The verification of incurring the liability via the purchase order, invoice and evidence of goods / service received, must be undertaken independent of the payment approval.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government Act 1995* *Local Government (Financial Management) Regulations 1996* - refer specifically r.13 Payments from municipal fund or trust fund by CEO, CEO's duties as to etc. *Local Government (Audit) Regulations 1996* Department of Local Government, Sport and Cultural Industries Operational Guideline No.11 – Use of Corporate Credit Cards Department of Local Government, Sport and Cultural Industries: Accounting Manual
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

Delegation Register

Shire of Mingenew

1. Local Government Act 1995 Delegations

1	CD01 Payments from Municipal or Trust Funds (last reviewed 15 June 2022 – no change)
2	1.2.26 Payments from the Municipal or Trust Funds (amended 21 June 2023)
3	1.2.26 Payments from the Municipal or Trust Funds (last reviewed 19 June 2024 – no change)
4	1.2.26 Payments from the Municipal or Trust Funds (last reviewed 18 June 2025 – no change)

1.2.25 Defer, Grant Discounts, Waive or Write Off Debts

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government Act 1995*: s.6.12 Power to defer, grant discounts, waive or write off debts
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Waive a debt which is owed to the Shire of Mingenew [s.6.12(1)(b)]. 2. Grant a concession in relation to money which is owed to the Shire of Mingenew [s.6.12(1)(b)]. 3. Write off an amount of money which is owed to the Shire of Mingenew [s.6.12(1)(c)]
Council Conditions on this Delegation:	a. Write-off a rates or service charge debt up to $30 in accordance with the Shire's Financial Hardship Policy [s.6.12(1)(c) &(2)]. b. A fee or charge may only be waived, discounted or a concession granted in accordance with Council's 'Supporting the Community' Policy and where the application aligns with Council's Strategic Community Plan; d. A debt may only be written off where all necessary measures have been taken to locate / contact the debtor and where costs associated with continued action to recover the debt will outweigh the net value of the debt if recovered by the Shire of Mingenew. i. Limited to individual debts valued below $100 or cumulative debts of a debtor valued below $100. Write off of debts greater than these values must be referred for Council decision. e. * During a State-declared emergency, the CEO may waive, grant a concession or write off individual debts valued below $500 or cumulative debts of a debtor valued below $500 (excluding rates and rate interest), and, in the case of outstanding rates, write off up to the value of the total interest on rates incurred in the current year, provided the applicant satisfies the definition of financial hardship in accordance with Council's Financial Hardship Policy. Debts greater than these values must be referred for Council decision.
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	Manager Corporate Services Manager Governance and Community
CEO Conditions on this Sub-Delegation: *Conditions on the delegation also apply to sub-delegation.*	1. Sub-delegates may only waive fees and charges related to their operational responsibilities where such waiver is either to: i. rectify a service failure on the part of the Shire of Mingenew limited to a value less than $300 per customer within a financial year; or

1. Local Government Act 1995 Delegations

	ii. assist a not for profit community group or charitable entity in fulfilling a service, social or cultural outcome within the Shire.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Collection of Rates Debts – refer Delegations: 1.3.9 Debt Collection Policy 1.3.11 Financial Hardship Policy 1.4.2 Supporting the Community
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD02 Debts, Waivers, concessions, Write Offs and Recovery

1.2.26 Power to Invest and Manage Investments

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government Act 1995*: s.6.14 Power to invest *Local Government (Financial Management) Regulations 1996*: r.19 Investments, control procedures for
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to invest money held in the municipal fund or trust fund that is not, for the time being, required for any other purpose [s.6.14(1)]. 2. Authority to establish and document internal control procedures to be followed in the investment and management of investments [FM r.19].
Council Conditions on this Delegation:	a. All investment activity must comply with the Financial Management Regulation 19C and Council Policy 1.3.3 Investment of Surplus Funds and 1.3.3 Investment of Surplus Funds Management Procedure. b. A report detailing the investment portfolio's performance, exposures and changes since last reporting, is to be provided as part of the Monthly Financial Reports. c. Procedures are to be systematically documented and retained in accordance with the Record Keeping Plan and must include references that enable recognition of statutory requirements and assign responsibility for actions to position titles. d. Procedures are to be administratively reviewed for continuing compliance and confirmed as 'fit for purpose' and subsequently considered by the Audit, Risk and Improvement Committee at least once within every 3 financial years. [Audit r.17].
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	Manager Corporate Services
CEO Conditions on this Sub-Delegation: *Conditions on the delegation also apply to sub-delegation.*	No additional conditions.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government (Financial Management) Regulations 1996* – refer r.19C Investment of money, restrictions on (Act s.6.14(2)(a)) Council Policy 1.3.3 – Investment of Surplus Funds Management Procedure 1.3.3 – Investment of Surplus Funds
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the

	requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD22 Power to Invest and Manage Investments (last reviewed 15 June 2022 – no change)
2	1.2.26 Power to Invest and Manage Investments (amended 21 June 2023)
3	1.2.26 Power to invest and Manage Investments (last reviewed 17 June 2026 – updated reference to Audit, Risk and Improvement Committee)

1.2.27 Agreement as to Payment of Rates and Service Charges

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government Act 1995*: s.6.49 Agreement as to payment of rates and service charges
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to make an agreement with a person for the payment of rates or service charges [s.6.49].
Council Conditions on this Delegation:	a. Decisions under this delegation must comply with Council Policy 1.3.10 Financial Hardship. b. Agreements must be in writing and, subject to the Council Policy 1.3.10 Financial Hardship, must ensure acquittal of the rates or service charge debt before the next annual rates or service charges are levied.
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	Manager Corporate Services
CEO Conditions on this Sub-Delegation: *Conditions on the delegation also apply to sub-delegation.*	Nil additional conditions.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Council Policy 1.3.9 Debt Collection Management Procedure 1.3.9 Debt Collection Council Policy 1.3.10 Financial Hardship
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD03 Rates Recovery (last reviewed 15 June 2022 – no change)
2	1.2.27 Agreement as to Payment of Rates and Service Charges (amended 21 June 2023)
3	1.2.27 Agreement as to Payment of Rates and Service Charges (last reviewed 19 June 2024 – no change)
4	1.2.27 Agreement as to Payment of Rates and Service Charges (last reviewed 18 June 2025 – no change)

1.2.28 Determine Due Date for Rates or Service Charges

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government Act 1995*: s.6.50(2) Rates or service charges due and payable
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to determine the date on which rates or service charges become due and payable to the Shire of Mingenew [s.6.50].
Council Conditions on this Delegation:	a. Excludes determining the due date and instalment due dates applicable to levying rates as part of the adoption of the annual budget. NOTE - Financial Management Reg.64 specifies that instalment due dates are to be determined when adopting the annual budget. b. Decisions under this delegation are limited to determining due date and instalment due dates applicable to interim rating only.
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	Manager Corporate Services
CEO Conditions on this Sub-Delegation: *Conditions on the delegation also apply to sub-delegation.*	Nil additional conditions.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD03 Rates Recovery (last reviewed 15 June 2022 – no change)
2	1.2.28 Determine Due Date for Rates or Service Charges (amended 21 June 2023)
3	1.2.28 Determine Due Date for Rates or Service Charges (last reviewed 19 June 2024 – no change)
4	1.2.28 Determine Due Date for Rates or Service Charges (last reviewed 18 June 2025 – no change)

1.2.29 Recovery of Rates or Service Charges

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government Act 1995*: s.6.56 Rates or service charges recoverable in court s.6.64(3) Actions to be taken
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to recover rates or service charges, as well as costs of proceedings for the recovery, in a court of competent jurisdiction [s.6.56(1)]. 2. Authority to lodge (and withdraw) a caveat to preclude dealings in respect of land where payment of rates or service charges imposed on that land is in arrears [s.6.64(3)].
Council Conditions on this Delegation:	a. Decisions under this delegation must comply with Council Policy 1.3.10 Financial Hardship.
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	Nil.
CEO Conditions on this Sub-Delegation: *Conditions on the delegation also apply to sub-delegation.*	Nil additional conditions.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Council Policy 1.3.9 Debt Collection Management Procedure 1.3.9 Debt Collection Council Policy 1.3.10 Financial Hardship
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD03 Rates Recovery (last reviewed 15 June 2022 – no change)
2	1.2.29 Recovery of Rates or Service Charges (amended 21 June 2023)
3	1.2.29 Recovery of Rates or Service Charges (last reviewed 19 June 2024 – no change)
4	1.2.29 Recovery of Rates or Service Charges (last reviewed 18 June 2025 – no change)

1.2.30 Recovery of Rates Debts – Require Lessee to Pay Rent

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government Act 1995*: s.6.60 Local Government may require lessee to pay rent
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to give notice to a lessee of land in respect of which there is an unpaid rate or service charge, requiring the lessee to pay its rent to the Shire of Mingenew [s.6.60(2)]. 2. Authority to recover the amount of the rate or service charge as a debt from the lessee if rent is not paid in accordance with a notice [s.6.60(4)].
Council Conditions on this Delegation:	a. Decisions under this delegation must comply with Council Policy 1.3.10 Financial Hardship.
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	Nil.
CEO Conditions on this Sub-Delegation: *Conditions on the delegation also apply to sub-delegation.*	Nil additional conditions.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government Act 1995* – refer sections 6.61 and 6.62 and Schedule 6.2 prescribe procedures relevant to exercise of authority under s.6.60. Council Policy 1.3.9 Debt Collection Management Procedure 1.3.9 Debt Collection Council Policy 1.3.10 Financial Hardship
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD03 Rates Recovery (last reviewed 15 June 2022 – no change)
2	1.2.30 Recovery of Rates Debts – Require Lessee to Pay Rent (amended 21 June 2023)
3	1.2.30 Recovery of Rates Debts – Require Lessee to Pay Rent (last reviewed 19 June 2024 – no change)
4	1.2.30 Recovery of Rates Debts – Require Lessee to Pay Rent (last reviewed 18 June 2025 – no change)

1.2.31 Recovery of Rates Debts - Actions to Take Possession of the Land

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government Act 1995*: s.6.64(1) Actions to be taken s,6.69(2) Right to pay rates, service charges and costs, and stay proceedings s.6.71 Power to transfer land to Crown or local government s.6.74 Power to have land revested in Crown if rates in arrears 3 years
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to take possession of land and hold the land against a person having an estate or interest in the land where rates or service charges have remained unpaid for at least three years [s.6.64(1)], including: i. lease the land, or ii. sell the land; or where land is offered for sale and a contract of sale has not been entered into after 12 months: I. cause the land to be transferred to the Crown [s.6.71 and s.6.74]; or II. cause the land to be transferred to the Shire of Mingenew [s.6.71]. 2. Authority to agree terms and conditions with a person having estate or interest in land and to accept payment of outstanding rates, service charges and costs within 7 days of and prior to the proposed sale [s.6.69(2)].
Council Conditions on this Delegation:	a. Decisions under this delegation must comply with Council Policy 1.3.10 Financial Hardship. b. In accordance with s.6.68(3A), this delegation cannot be used where a decision relates to exercising a power of sale without having, within the previous 3-years attempted to recover the outstanding rates / changes through a court under s.6.56, as s.6.68(3A) requires that the reasons why court action has not been pursued must be recorded in Council Minutes. c. Exercise of this delegation must comply with the procedures set out in Schedule 6.3 of the *Local Government Act 1995.*
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	Nil.
CEO Conditions on this Sub-Delegation: *Conditions on the delegation also apply to sub-delegation.*	Nil additional conditions.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.

1. Local Government Act 1995 Delegations

	Local Government Act 1995 – Part 6, Division 6 Subdivision 6 and Schedule.6.3 prescribe procedures relevant to exercise of authority under this delegation. *Local Government (Financial Management) Regulations 1996* – regulations 72 – 78 prescribe forms and procedures relevant to exercise of authority under this delegation. Council Policy 1.3.9 Debt Collection Management Procedure 1.3.9 Debt Collection Council Policy 1.3.10 Financial Hardship
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	1.2.31 Recovery of Rates Debts - Actions to Take Possession of the Land (NEW)
2	1.2.31 Recovery of Rates Debts - Actions to Take Possession of the Land (last reviewed 21 June 2023 – no change)
3	1.2.31 Recovery of Rates Debts – Actions to Take Possession of the Land (last reviewed 19 June 2024 – no change)
4	1.2.31 Recovery of Rates Debts – Actions to Take Possession of the Land (last reviewed 18 June 2025 – no change)

1.2.32 Rate Record – Objections

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government Act 1995*: s.6.76 Grounds of objection
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to extend the time for a person to make an objection to a rate record [s.6.76(4)]. 2. Authority to consider an objection to a rate record and either allow it or disallow it, wholly or in part, providing the decision and reasons for the decision in a notice promptly served upon the person whom made the objection [s.6.76(5)].
Council Conditions on this Delegation:	a. A delegate who has participated in any matter contributing to a decision related to the rate record, which is the subject of a Rates Record Objection, must NOT be party to any determination under this Delegation.
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	Nil.
CEO Conditions on this Sub-Delegation: *Conditions on the delegation also apply to sub-delegation.*	Nil additional conditions.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD03 Rates Recovery (last reviewed 15 June 2022 – no change)
2	1.2.32 Rate Record – Objections (amended 21 June 2023)
3	1.2.32 Rate Record – Objections (last reviewed 19 June 2024 – no change)
4	1.2.32 Rate Record – Objections (last reviewed 18 June 2025 – no change)

1.3 CEO to Employees

1.3.1 Determine and Manage Conditions on Approvals to Obstruct a Public Thoroughfare

Delegator: *Power / Duty assigned in legislation to:*	Chief Executive Officer
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	*Local Government (Uniform Local Provisions) Regulations 1996*: r.6(4)(d) Obstruction of public thoroughfare by things placed and left - Sch. 9.1 cl. 3(1)(a)
Delegate/s:	Manager Works
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	When determining to grant permission to obstruct a public footpath or thoroughfare under Delegated Authority 1.2.9: 1. Authority to determine the sum sufficient to cover the cost of repairing damage to the public thoroughfare resulting from the placement of a thing or a protective structure, on the basis that the local government may retain from that sum the amount required for the cost of repairs by the local government if the damage is not made good by the applicant [ULP r.6(4)(d)]]. 2. Authority to determine the requirements for protective structures, during such time as it is considered necessary for public safety and convenience [ULP r.6(5)(b). 3. Authority to determine and require in writing, that the person granted permission to obstruct a public thoroughfare repair damage caused by things placed on the thoroughfare and authority to determine if such repairs are to the satisfaction of the local government [ULP r.6(5)(d)].
CEO Conditions on this Delegation:	a. Decisions under this Delegation must be exercised in alignment with Council's Delegated Authority 1.2.9 Obstruction of Footpaths and Thoroughfares. b. Actions under this Delegation must comply with the procedural requirements detailed in *the Local Government (Uniform Local Provisions) Regulations 1996*.
Express Power to Sub-Delegate:	Nil.

Compliance Links:	This delegated authority is effective only in alignment with Delegated Authority 1.2.9 Obstructions of Footpaths and Thoroughfares. Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Local Government (Uniform Local Provisions) Regulations 1996 Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the *Local Government Act 1995*
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

Delegation Register

Shire of Mingenew

1. Local Government Act 1995 Delegations

1	CD08 Thoroughfares
2	1.3.1 Determine and Manage Conditions on Approvals to Obstruct a Public Thoroughfare (NEW – 21 June 2023)
3	1.3.1 Determine and Manage Conditions on Approvals to Obstruct a Public Thoroughfare (last reviewed 19 June 2024 – no change)
4	1.3.1 Determine and Manage Conditions on Approvals to Obstruct a Public Thoroughfare (last reviewed 18 June 2025 – no change)

1.3.2 Determine and Manage Conditions on Permission for Dangerous Excavations on or on land adjoining Public Thoroughfares

Delegator: *Power / Duty assigned in legislation to:*	Chief Executive Officer
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	Local Government (Uniform Local Provisions) Regulations 1996: r.11(6)(c) and (7)(c) Dangerous excavation in or near public thoroughfare – Sch. 9.1 cl.6
Delegate/s:	Manager Works
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	When determining to grant permission to for a dangerous excavation under Delegated Authority 1.2.12: 1. Authority to determine, as a condition of granting permission, the sum sufficient to deposit to cover the cost of repairing damage to the public thoroughfare or adjoining land resulting from the excavation or a protective structure, on the basis that the local government may retain from that sum the amount required for the cost of repairs by the local government if the damage is not made good by the applicant [r.11(6)(c)]. 2. Authority to determine, as a condition of granting permission, requirements for protective structures and for the protective structures to be maintained and kept in satisfactory condition necessary for public safety and convenience [r.11(7)(c)]. 3. Authority to determine if repairs to damage resulting from excavation or protective structures have been repaired satisfactorily.
CEO Conditions on this Delegation:	a. Decisions under this Delegation must be exercised in alignment with Council's Delegated Authority 1.2.12 Public Thoroughfares – Dangerous Excavations. b. Actions under this Delegation must comply with the procedural requirements detailed in *the Local Government (Uniform Local Provisions) Regulations 1996*.
Express Power to Sub-Delegate:	Nil.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. This delegated authority is effective only in alignment with Delegated Authority 1.2.12 Public Thoroughfares – Dangerous Excavations. Local Government (Uniform Local Provisions) Regulations 1996 Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the *Local Government Act 1995*
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD08 Thoroughfares
2	1.3.2 Determine and Manage conditions on Permission for Dangerous Excavations on or on land adjoining Public Thoroughfares (NEW – 21 June 2023)

3	1.3.2 Determine and Manage Conditions on Permission for Dangerous Excavations on or on Land Adjoining Public Thoroughfares (last reviewed 19 June 2024)
4	1.3.2 Determine and Manage Conditions on Permission for Dangerous Excavations on or on Land Adjoining Public Thoroughfares (last reviewed 18 June 2025)

1.3.3 Determine and Manage Conditions on Permission for Private Works on, over, or under Public Places

Delegator: *Power / Duty assigned in legislation to:*	Chief Executive Officer
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	*Local Government (Uniform Local Provisions) Regulations 1996*: r.17(5)(b) and r.17(6)(c) Private works on, over, or under public places — Sch. 9.1 cl. 8
Delegate/s:	Manager Works
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to determine, as a condition of granting permission for Private Works in Public Places, the sum sufficient to deposit with the Local Government to cover the cost of repairing damage to the public thoroughfare or public place resulting from the crossing construction, on the basis that the Local Government may retain from that sum the amount required for the cost of repairs by the local government if the damage is not made good by the applicant [r.17(5)(b)]. 2. Authority to determine if repairs to damage resulting from excavation or protective structures have been repaired satisfactorily. [r.17(6)(c)].
CEO Conditions on this Delegation:	Nil additional conditions.
Express Power to Sub-Delegate:	Nil.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. This delegated authority is effective only in alignment with Delegated Authority 1.2.14 Private Works on, over or under Public Places
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD08 Thoroughfares
2	1.3.3 Determine and Manage Conditions on Permission for Private Works on, over, or under Public Places (NEW – 21 June 2023)
3	1.3.3 Determine and Manage Conditions on Permission for Private Works on, over, or under Public Places (last reviewed 19 June 2024 – no change)
4	1.3.3 Determine and Manage Conditions on Permission for Private Works on, over, or under Public Places (last reviewed 18 June 2025 – no change)

1.3.4 Appoint Persons (other than employees) to Open Tenders

Delegator: *Power / Duty assigned in legislation to:*	Chief Executive Officer
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	*Local Government (Functions and Genera) Regulations 1996*: r.16(3) Receiving and opening tenders, procedure for
Delegate/s:	Manager Corporate Services Manager Governance and Community Manager Works
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to appoint one person (other than employees) to be present with an employee of the Local Government to open tenders, when two employees are unable to attend then tender opening [F&G r.16(3)].
CEO Conditions on this Delegation:	a. When exercising authority to authorise persons under F&G.r.16(3): • A register of Authorisations is to be maintained as a Local Government Record. • Only persons who are appropriately qualified and trained may be authorised for this purpose. • Authorisations are to be provided in writing by issuing a Certificate of Authorisation.
Express Power to Sub-Delegate:	Nil.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	1.3.4 Appoint Persons (other than employees) to Open Tenders (NEW – 21 June 2023)
2	1.3.4 Appoint Persons (other than employees) to Open Tenders (last reviewed 19 June 2024 - no change)
3	1.3.4 Appoint Persons (other than employees) to Open Tenders (last reviewed 18 June 2025 - no change)

1.3.5 Electoral Enrolment Eligibility Claims and Electoral Roll

Delegator: *Power / Duty assigned in legislation to:*	Chief Executive Officer
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	*Local Government Act 1995*: s.4.32(4), (5A) & (5) Eligibility to enrol under s.4.30, how to claim s.4.34 Accuracy of enrolment details to be maintained s.4.35 Decision that eligibility to enrol under s.4.30 has ended s.4.37 New roll for each election *Local Government (Elections) Regulations 1995*: r.13(2) & (4)Register - s.4.32(6)
Delegate/s:	Manager Governance and Community
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to decide whether or not the claimant is eligible under s.4.30(1)(a) and (b) and accept or reject the claim accordingly [s.4.32(4)]. 2. Authority to decide to accept or reject a claim made before the close of enrolments, but less than 14-days before the close of nominations [s.4.32(5A)]. 3. Authority to make any enquiries necessary in order to make a decision on an eligibility claim [s.4.32(5)]. 4. Authority to approve the omission of an elector's address from the Owners and Occupiers Register on the basis of a declaration from the elector that the publication of this information would place the elector's or their family's safety at risk [Elections r.13(2)]. 5. Authority to amend the Owners and Occupiers Register from time to time to make sure that the information recorded in it is accurate [Elections r.13(4)]. 6. Authority to ensure that the information about electors that is recorded from enrolment eligibility claims is maintained in an up to date and accurate form [s.4.34]. 7. Authority to decide that a person is no longer eligible under s.4.30 to be enrolled on the Owners and Occupiers Electoral Roll [s.4.35(1)] and to give notice [s.4.35(2)] and consider submissions [s.4.35(6)], before making such determination. 8. Authority to determine to take any action necessary to give effect to advice received from the Electoral Commissioner [s.4.35(5)]. 9. Decide, with the approval of the Electoral Commissioner, that a new electoral roll is not required for an election day which is less than 100 days since the last election day [s.4.37(3)].
CEO Conditions on this Delegation:	a. Decisions on enrolment eligibility are to be recorded in the Enrolment Eligibility Register in accordance with s.4.32(6) and s.4.35(7).
Express Power to Sub-Delegate:	Nil.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.

1. Local Government Act 1995 Delegations

	Department of Local Government, Sport and Cultural Industries: Returning Officer Manual
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CEOD15 Electoral Enrolment Eligibility Claims and Electoral Roll (amended 15 June 2022)
2	1.3.5 Electoral Enrolment Eligibility Claims and Electoral Roll (amended 21 June 2023)
3	1.3.5 Electoral Enrolment Eligibility Claims and Electoral roll (amended 18 June 2025 – minor grammatical correction)
4	1.3.5 Electoral Enrolment Eligibility Claims and Electoral roll (amended 17 June 2026 – r.11(1a) deleted from Regulations)

1.3.6 Destruction of Electoral Papers

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

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Department of Local Government, Sport and Cultural Industries: Returning Officer Manual
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	1.3.6 Destruction of Electoral Papers (NEW – 21 June 2023)
2	1.3.6 Destruction of Election Papers (last reviewed 19 June 2024 – no change)
3	1.3.6 Destruction of Election Papers (last reviewed 18 June 2025 – no change)

1.3.7 Acknowledge Primary and Annual Returns

Delegator: *Power / Duty assigned in legislation to:*	Chief Executive Officer
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	*Local Government Act 1995*: s.5.77 Acknowledging receipt of returns]
Delegate:	Manager Governance and Community
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to, on receipt of a Primary or Annual Return under s.5.75 or 5.76, give the person who submitted the Return written acknowledgement of having received the Return.
CEO Conditions on this Delegation:	a. The Manager Governance and Community may only receive and acknowledge Primary or Annual Returns submitted by a council member or designated employees, other than the Chief Executive Officer and themselves. b. Before issuing a written acknowledgement, the Manager Governance and Community is to review the content of the Return declaration and consider any probity risks which may be evident from the disclosures in context of the disclosing employee's job role. Where any probity risk is identified the Manager Governance and Community must advise the relevant line manager or CEO to implement appropriate actions in regard to that employee's duties to mitigate the identified risk.
Express Power to Sub-Delegate:	Nil.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government Act 1995*, s.5.88 Register of Financial Interests Department of Local Government, Operational Guideline – Primary and Annual Returns. Shire of Mingenew Employee Code of Conduct
Record Keeping:	The original Primary or Annual Return and the acknowledgement is to be retained in the Register of Financial Interests kept in accordance with s.5.88 of the Local Government Act 1995.

Version Control:

1	1.3.7 Acknowledge Primary and Annual Returns (NEW – 21 June 2023)

1.3.8 Information to be Available to the Public

Delegator: *Power / Duty assigned in legislation to:*	Chief Executive Officer
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	*Local Government (Administration) Regulations 1996*: r.29B Copies of certain information not to be provided (Act s.5.96) *Local Government Act 1995:* s.5.95(1)(b) & (3)(b) Limits on right to inspect local government information
Delegate/s:	Manager Corporate Services Manager Governance and Community
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to determine the manner and form by which a person may request copies of rates record information [s.5.94(m)] or owners and occupiers register and electoral rolls [s5.94(s)] and to make the information available, if satisfied, by statutory declaration or otherwise, that the information will not be used for commercial purposes [Admin r.29B]. 2. Authority to determine not to provide a right to inspect information, where it is considered that in doing so would divert a substantial and unreasonable portion of the local government's resources away from its other functions [s5.95(1)(b)]. 3. Authority to determine not to provide a right to inspect information contained in notice papers, agenda, minutes, or information tabled at a meeting, where it is considered that that part of the meeting could have been closed to members of the public but was not closed [s.5.94(3)(b)].
CEO Conditions on this Delegation:	Nil additional conditions.
Express Power to Sub-Delegate:	Nil.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	1.3.8 Information to be Available to the Public (NEW – 21 June 2023)

1.3.9 Financial Management Systems and Procedures

Delegator: *Power / Duty assigned in legislation to:*	Chief Executive Officer
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	*Local Government (Financial Management) Regulations 1996*: r.5 CEO's Duties as to financial management
Delegate/s:	Manager Corporate Services
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to establish systems and procedures [FM r.5] that give effect to internal controls and risk mitigation for the: i. Collection of money owed to the Shire of Mingenew; ii. Safe custody and security of money collected or held by the Shire of Mingenew; iii. Maintenance and security of all financial records, including payroll, stock control and costing records; iv. Proper accounting of the Municipal and Trust Funds, including revenue, expenses and assets and liabilities; v. Proper authorisation of employees for incurring liabilities, including authority for initiating Requisition Orders, Purchase Orders and use of Credit and Transaction Cards; vi. Making of payments in accordance with Delegated Authority 1.2.24 Payments to the Municipal or Trust Funds; vii. Preparation of budgets, budget reviews, accounts and reports as required by legislation or operational requirements.
CEO Conditions on this Delegation:	a. Procedures are to be systematically documented and retained in accordance with the Record Keeping Plan, and must include references that enable recognition of statutory requirements and assign responsibility for actions to position titles. b. Procedures are to be administratively reviewed for continuing compliance and confirmed as 'fit for purpose' and subsequently considered by the Audit and Risk Committee at least once within each 3 financial years. [Audit r.17]
Express Power to Sub-Delegate:	Nil.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government Act 1995* *Local Government (Financial Management) Regulations 1996* *Local Government (Audit) Regulations 1996* Department of Local Government, Sport and Cultural Industries Operational Guideline No.11 – Use of Corporate Credit Cards
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the

	requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	1.3.9 Financial Management Systems and Procedures (NEW – 21 June 2023)

2 Building Act 2011 Delegations

2.1 Council to CEO

2.1.1 Grant a Building Permit

Delegator: *Power / Duty assigned in legislation to:*	Permit Authority (Local Government)
Express Power to Delegate: *Power that enables a delegation to be made*	*Building Act 2011:* s.127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	*Building Act 2011*: 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 *Building Regulations 2012:* 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))
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	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]. 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].
Council Conditions on this Delegation:	Nil
Express Power to Sub-Delegate:	*Building Act 2011*: s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

Sub-Delegate/s: *Appointed by CEO*	Manager Governance and Community
CEO Conditions on this Sub-Delegation:	a. Authority to grant a building permit [s.20] in the absence of the Chief Executive Officer or where an actual or perceived conflict of interest

2. Building Act 2011 Delegations

Conditions on the delegation also apply to sub-delegation.	may exist for the Chief Executive Officer, in cases where approval is time sensitive and the matter is referred; b. Written advice must be received from a suitably qualified person that all requirements have been satisfied e.g. Shire of Northampton Building Department.

Compliance Links:	*Building Act 2011* s.119 Building and demolition permits – application for review by SAT s.23 Time for deciding application for building or demolition permit s.17 Uncertified application to be considered by building surveyor *Building Regulations 2012 – r.25 Review of decision to refuse to extend time during which permit has effect (s.32(3)) – reviewable by SAT* *Building Services (Registration Act) 2011* – Section 7 *Home Building Contracts Act 1991* – Part 3A, Division 2 – Part 7, Division 2 *Building and Construction Industry Training Levy Act 1990* *Heritage Act 2018*
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD12 Building and Demolition Permits (no amendments – 15 June 2022)
2	2.1.1 Grant a Building Permit (amended 21 June 2023)
3	2.1.1 Grant a Building Permit (amended 17 June 2026 – updated to reflect Shire of Northampton processing building applications and providing advice))

2.1.2 Demolition Permits

Delegator: *Power / Duty assigned in legislation to:*	Permit Authority (Local Government)
Express Power to Delegate: *Power that enables a delegation to be made*	*Building Act 2011:* s.127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	*Building Act 2011*: 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 Building Regulations 2012 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))
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	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]. 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].
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	*Building Act 2011*: s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

Sub-Delegate/s: *Appointed by CEO*	Manager Governance and Community
CEO Conditions on this Sub-Delegation: *Conditions on the delegation also apply to sub-delegation.*	a. Authority to grant a demolition permit [s.20] in the absence of the Chief Executive Officer or where an actual or perceived conflict of interest may exist for the Chief Executive Officer, in cases where approval is time sensitive and the matter is referred;

	b. Written advice must be received from a suitably qualified person that all requirements have been satisfied e.g. Shire of Northampton Building Department.

Compliance Links:	*Building Act 2011* s.119 Building and demolition permits – application for review by SAT s.23 Time for deciding application for building or demolition permit *Building Services (Complaint Resolution and Administration) Act 2011* -– Part 7, Division 2 *Building and Construction Industry Training Levy Act 1990* *Heritage Act 2018*
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD12 Building and Demolition Permits (no amendments – 15 June 2022)
2	2.1.2 Demolition Permits (amended 21 June 2023)
3	2.1.2 Demolition Permits (last reviewed 17 June 2026 – updated to reflect Shire of Northampton processing building applications and providing advice))

2.1.3 Occupancy Permits or Building Approval Certificates

Delegator: *Power / Duty assigned in legislation to:*	Permit Authority (Local Government)
Express Power to Delegate: *Power that enables a delegation to be made*	*Building Act 2011:* s.127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	*Building Act 2011*: 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 Building Regulations 2012 r.40 Extension of period of duration of time limited occupancy permit or building approval certificate (s.65)
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	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].
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	*Building Act 2011*: s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

Sub-Delegate/s: *Appointed by CEO*	Manager Governance and Community
CEO Conditions on this Sub-Delegation: *Conditions on the delegation also apply to sub-delegation.*	a. Authority to grant an occupancy permit [s.20] in the absence of the Chief Executive Officer or where an actual or perceived conflict of interest may exist for the Chief Executive Officer, in cases where approval is time sensitive and the matter is referred; b. Written advice must be received from a suitably qualified person that all requirements have been satisfied e.g. Shire of Northampton Building Department.

Compliance Links:	*Building Act 2011* 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 *Building Services (Complaint Resolution and Administration) Act 2011* – Part 7, Division 2 *Building and Construction Industry Training Levy Act 1990*

2. Building Act 2011 Delegations

	Heritage Act 2018
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD12 Building and Demolition Permits (no amendments – 15 June 2022)
2	2.1.3 Occupancy Permits or Building Approval Certificates
3	2.1.3 Occupancy Permits or Building Approval Certificates (last reviewed 17 June 2026 – updated to reflect Shire of Northampton processing building applications and providing advice))

2.1.4 Designate Employees as Authorised Persons

Delegator: *Power / Duty assigned in legislation to:*	Permit Authority (Local Government)
Express Power to Delegate: *Power that enables a delegation to be made*	*Building Act 2011:* s.127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	*Building Act 2011*: s.96(3) authorised persons s.99(3) Limitation on powers of authorised person
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to designate an employee as an authorised person [s.96(3)]. 2. Authority to revoke or vary a condition of designation as an authorised person or give written notice to an authorised person limiting powers that may be exercised by that person [s.99(3)].
Council Conditions on this Delegation:	a. Decisions under this delegated authority should be in accordance with r.5 of the Building Regulations 2012. b. NOTE: An *authorised person* for the purposes of sections 96(3) and 99(3) is not an *approved officer* or *authorised officer* for the purposes of Building Reg. 70.
Express Power to Sub-Delegate:	*Building Act 2011*: s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

Sub-Delegate/s: *Appointed by CEO*	Nil.
CEO Conditions on this Sub-Delegation: *Conditions on the delegation also apply to sub-delegation.*	Nil additional conditions.

Compliance Links:	*Building Act 2011:* s.97 each designated authorised person must have an identity card. r.5A Authorised persons (s.3) – definition
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD32 Designate Employees as Authorised Persons (no amendments – 15 June 2022)
2	2.1.4 Designate Employees as Authorised Persons (amended 21 June 2023)
3	2.1.4 Designate Employees as Authorised Persons (last reviewed 19 June 2024 – no change)
4	2.1.4 Designate Employees as Authorised Persons (last reviewed 18 June 2025 – no change)

2.1.5 Building Orders

Delegator: *Power / Duty assigned in legislation to:*	Permit Authority (Local Government)
Express Power to Delegate: *Power that enables a delegation to be made*	*Building Act 2011:* s.127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	*Building Act 2011*: s.110(1) A permit authority may make a building order s.111(1) Notice of proposed building order other than building order (emergency) s.117(1) and (2) A permit authority may revoke a building order or notify that it remains in effect s.118(2) and (3) Permit authority may give effect to building order if non-compliance
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to make Building Orders in relation to: a. Building work b. Demolition work c. An existing building or incidental structure [s.110(1)]. 2. Authority to give notice of a proposed building order and consider submissions received in response and determine actions [s.111(1)(c)]. 3. Authority to revoke a building order [s.117]. 4. If there is non-compliance with a building order, authority to cause an authorised person to: a. take any action specified in the order ; or b. commence or complete any work specified in the order; or c. if any specified action was required by the order to cease, to take such steps as are reasonable to cause the action to cease [s.118(2)]. 5. Authority to take court action to recover as a debt, reasonable costs and expense incurred in doing anything in regard to non-compliance with a building order [s.118(3)].
Council Conditions on this Delegation:	Nil
Express Power to Sub-Delegate:	*Building Act 2011*: s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

Sub-Delegate/s: *Appointed by CEO*	Nil.
CEO Conditions on this Sub-Delegation: *Conditions on the delegation also apply to sub-delegation.*	Nil additional conditions.

Compliance Links:	*Building Act 2011:* Section 111 Notice of proposed building order other than building order (emergency) Section 112 Content of building order Section 113 Limitation on effect of building order Section 114 Service of building order

2. Building Act 2011 Delegations

	Part 9 Review - s.122 Building orders – application for review by SAT
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD33 Building Orders (no amendments – 15 June 2022)
2	2.1.5 Building Orders (amended 21 June 2023)

2.1.6 Inspection and Copies of Building Records

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

Sub-Delegate/s: *Appointed by CEO*	Manager Governance and Community
CEO Conditions on this Sub-Delegation: *Conditions on the delegation also apply to sub-delegation.*	No additional conditions.

Compliance Links:	*Building Act 2011* - s.146 Confidentiality
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD34 Inspection and Copies of Building Records (no amendments – 15 June 2022))
2	2.1.6 Inspection and Copies of Building Records (amended 21 June 2023)
3	2.1.6 Inspection and Copies of Building Records (last reviewed 19 June 2024 – no change)
4	2.1.6 Inspection and Copies of Building Records (last reviewed 18 June 2025 – no change)

2.1.7 Referrals and Issuing Certificates

Delegator: *Power / Duty assigned in legislation to:*	Permit Authority (Local Government)
Express Power to Delegate: *Power that enables a delegation to be made*	*Building Act 2011:* s.127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	*Building Act 2011*: s.145A Local Government functions
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to refer uncertified applications under s.17(1) to a building surveyor who is not employed by the local government [s.145A(1)]. 2. Authority to issue a certificate for Design Compliance, Construction Compliance or Building Compliance whether or not the land subject of the application is located in the Shire of Mingenew's District [s.145A(2)].
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	*Building Act 2011*: s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

Sub-Delegate/s: *Appointed by CEO*	Nil.
CEO Conditions on this Sub-Delegation: *Conditions on the delegation also apply to sub-delegation.*	No additional conditions.

Compliance Links:	Nil
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD35 Referrals and Issuing Certificates (no amendments – 15 June 2022)
2	2.1.7 Referrals and Issuing Certificates (amended 21 June 2023)
3	2.1.7 Referrals and Issuing Certificates (last reviewed 19 June 2024 – no change)
4	2.1.7 Referrals and Issuing Certificates (last reviewed 18 June 2025 – no change)

2.1.8 Private Pool Barrier – Alternative and Performance Solutions

Delegator: *Power / Duty assigned in legislation to:*	Permit Authority (Local Government)
Express Power to Delegate: *Power that enables a delegation to be made*	*Building Act 2011:* s.127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	*Building Regulations 2012*: r.15B Modifications to AS 1926.1-2012 (s.150) r.51 Approvals by permit authority
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to approve requirements alternative to a fence, wall, gate or other component included in the barrier, if satisfied that the alternative requirements will restrict access by young children as effectively as if there were compliant with AS 1926.1 [r.51(2)] 2. Authority to approve a door for the purposes of compliance with AS 1926.1, where a fence or barrier would cause significant structural or other problem which is beyond the control of the owner / occupier, or the pool is totally enclosed by a building or a fence or barrier between the building and pool would create a significant access problem for a person with a disability [r.51(3)] 3. Authority to approve a performance solution to a Building Code pool barrier requirement if satisfied that the performance solution complies with the relevant performance requirement [r.51(5)].
Council Conditions on this Delegation:	a. Decisions under this delegation must be consistent with modifications to AS 1926.1:2024 prescribed in Building Regulation 15B.
Express Power to Sub-Delegate:	*Building Act 2011*: s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

Sub-Delegate/s: *Appointed by CEO*	Nil.
CEO Conditions on this Sub-Delegation: *Conditions on the delegation also apply to sub-delegation.*	No additional conditions.

Compliance Links:	
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	2.1.8 Private Pool Barrier – Alternative and Performance Solutions (NEW – 21 June 2023)
2	2.1.8 Private Pool Barrier – Alternative and Performance Solutions (last reviewed 19 June 2024 – no change)
3	2.1.8 Private Pool Barrier – Alternative and Performance Solutions (amended 18 June 2025 – reflects legislative amendments)

2.1.9 Smoke Alarms – Alternative Solutions

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Building Act 2011:* s.127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	*Building Regulations 2012:* r.55 Terms Used (alternative building solution approval) r.61 Local Government approval of battery powered smoke alarms
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to approve alternative building solutions which meet the performance requirement of the Building Code relating to fire detection and early warning [r.55]. 2. Authority to approve or refuse to approve a battery powered smoke alarm and to determine the form of an application for such approval [r.61].
Council Conditions on this Delegation:	a. Subject to written advice being received and considered from a suitably qualified person (building surveyor, local government officer from another local government with building-related qualifications or experience).
Express Power to Sub-Delegate:	*Building Act 2011*: s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

Sub-Delegate/s: *Appointed by CEO*	Nil.
CEO Conditions on this Sub-Delegation: *Conditions on the delegation also apply to sub-delegation.*	No additional conditions.

Compliance Links:	
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD36 Smoke Alarms – Alternative Solutions (no amendments – 15 June 2022)
2	2.1.9 Smoke Alarms – Alternative Solutions (amended 21 June 2023)
3	2.1.9 Smoke Alarms – Alternative Solutions (last reviewed 19 June 2024 – no change)
4	2.1.9 Smoke Alarms – Alternative Solutions (last reviewed 18 June 2025 – no change)

2.1.10 Designate Employees of Contracted Service Provider as Authorised Persons (Inspectors)

Delegator: *Power / Duty assigned in legislation to:*	Permit Authority (Local Government)
Express Power to Delegate: *Power that enables a delegation to be made*	*Building Act 2011:* s.127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	*Building Regulations 2012*: r.4A Authorised persons
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to designate a person contracted, or employed by an entity contracted, by the Shire of Mingenew as an authorised person [r.4A(2)] for the purposes of monitoring whether Part 8 provisions are being complied with. 2. Authority to revoke designation as an authorised person [r.4A(4)].
Council Conditions on this Delegation:	a. Designation of authorised persons under this delegation is limited to performing Authorised Person functions under s.93(2)(d).
Express Power to Sub-Delegate:	*Building Act 2011*: s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

Sub-Delegate/s: *Appointed by CEO*	Nil.
CEO Conditions on this Sub-Delegation: *Conditions on the delegation also apply to sub-delegation.*	No additional conditions.

Compliance Links:	*Building Regulations 2012:* r.4B Identity cards
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	2.1.10 Designate Employees of Contracted Service Provider as Authorised Persons (Inspectors) – NEW – 18 June 2025)

3 Bush Fires Act 1954 Delegations

3.1 Council to CEO, President and Bush Fire Control Officer

3.1.1 Make Request to FES Commissioner – Control of Fire

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

Compliance Links:	Nil.
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD37 Make Request to FES Commissioner – Control of Fire (no amendments – 15 June 2022)
2	3.1.1 Make Request to FES Commissioner – Control of Fire (amended 21 June 2023)
3	3.1.1 Make Request to FES Commissioner – Control of Fire (amended 19 June 2024)
4	3.1.1 Make Request to FES Commissioner – Control of Fire (amended 18 June 2025)

3.1.2 Prohibited Burning Times - Vary

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Bush Fires Act 1954:* s.48 Delegation by local government s.17(10) Prohibited burning times may be declared by Minister (power of delegation to mayor or president and Chief Bush Fire Control Officer for ONLY powers under s.17(7) and (8))
Express Power or Duty Delegated:	*Bush Fires Act 1954:* s.17(7) Prohibited burning times may be declared by Minister *Bush Fire Regulations 1954:* r.15 Permit to burn (Act s.18), form of and apply for after refusal etc. r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times r.39B Crop dusters etc., use of in restricted or prohibited burning times
Delegate:	President and Chief Bush Fire Control Officer (jointly)
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority, where seasonal conditions warrant it, to determine a variation of the prohibited burning times, after consultation with an authorised CALM Act officer [s.17(7)].
Council Conditions on this Delegation:	a. Decisions under s,17(7) must be undertake jointly by both the President and the Chief Bush Fire Control Officer and must comply with the procedural requirements of s.17(7B) and (8).
Express Power to Sub-Delegate:	*NIL – Sub-delegation is prohibited by s.48(3)*

Compliance Links:	Nil.
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	3.1.2 Prohibited Burning Times – Vary (NEW – 21 June 2023)

3.1.3 Prohibited Burning Times – Control Activities

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Bush Fires Act 1954:* s.48 Delegation by local government
Express Power or Duty Delegated:	*Bush Fires Act 1954:* s.27(2) and (3) Prohibition on use of tractors or engines except under certain conditions s.28(4) and (5) Occupier of land to extinguish bush fire occurring on own land *Bush Fire Regulations 1954:* r.15 Permit to burn (Act s.18), form of and apply for after refusal etc. r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times r.39B Crop dusters etc., use of in restricted or prohibited burning times
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to determine permits to burn during prohibited burning times that have previously been refused by a Bush Fire Control Officer [r.15]. 2. Authority to declare that the use of any harvesting machinery on any land under crop during the whole or any part of any Sunday or public holiday in the whole or a specified part of the District during Restricted Burning Times is prohibited, unless written consent of a Bush Fire Control Officer is obtained [r.38C]. 3. Authority to determine, during a Prohibited Burning Time, if a firebreak around a landing ground for an aeroplane has been satisfactorily prepared [r.39B(2)]. 4. Authority to issue directions, during a Prohibited Burning Time, to a Bush Fire Control Officer, regarding matters necessary for the prevention of fire on land used as a landing ground for an aeroplane [r.39B(3)]. 5. Authority to prohibit the use of tractors, engines or self-propelled harvester, during a Prohibited Burning Times, and to give permission for use of same during the Restricted Burning Time subject to compliance with requirements specified in a notice [s.27(2) and (3)]. 6. Authority to recover the cost of measures taken by the Shire of Mingenew or Bush Fire Control Officer, to extinguish a fire burning during Prohibited Burning Times, where the occupier of the land has failed to comply with requirements under s.28(1) to take all possible measures to extinguish a fire the land they occupy [s.28(4)], including authority to recover expenses in any court of competent jurisdiction [s.28(5)].
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	*NIL – Sub-delegation is prohibited by s.48(3)*

Compliance Links:	
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the

	requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD38 Prohibited Burning Times – Control Activities (no amendments – 15 June 2022)
2	3.1.3 Prohibited Burning Times – Control Activities (amended 21 June 2023)

3.1.4 Restricted Burning Times – Vary and Control Activities

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Bush Fires Act 1954:* s.48 Delegation by local government
Express Power or Duty Delegated:	*Bush Fires Act 1954:* s.18(5), (11) Restricted burning times may be declared by FES Commissioner s.22(6) and (7) Burning on exempt land and land adjoining exempt land s.27(2) and (3) Prohibition on use of tractors or engines except under certain conditions s.28(4) and (5) Occupier of land to extinguish bush fire occurring on own land *Bush Fire Regulations 1954:* r.15 Permit to burn (Act s.18), form of and apply for after refusal etc. r.15C Local Government may prohibit burning on certain days r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times r.39B Crop dusters etc., use of in restricted or prohibited burning times
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority, where seasonal conditions warrant it and after consultation with an authorised CALM Act officer, to determine to vary the restricted burning times in respect of that year [s.18(5)]. a. Authority to determine to prohibit burning on Sundays or specified days that are public holidays in the District [r.15C]. 2. Authority, where a permitted burn fire escapes or is out of control in the opinion of the Bush Fire Control Officer or an officer of the Bush Fire Brigade, to determine to recoup bush fire brigade expenses arising from preventing extension of or extinguishing an out of control permitted burn [s.18(11)]. 3. Authority to determine permits to burn during restricted times that have previously been refused by a Bush Fire Control Officer [r.15]. 4. Authority to arrange with the occupier of exempt land, the occupier of land adjoining it and the Bush Fire Brigade to cooperate in burning fire-breaks and require the occupier of adjoining land to provide by the date of the burning, ploughed or cleared fire-breaks parallel to the common boundary [s.22(6) and (7)]. 5. Authority to declare that the use of any harvesting machinery on any land under crop during the whole or any part of any Sunday or public holiday in the whole or a specified part of the District during Restricted Burning Times is prohibited, unless written consent of a Bush Fire Control Officer is obtained [r.38C]. 6. Authority to determine, during a Restricted Burning Time, if a firebreak around a landing ground for an aeroplane has been satisfactorily prepared [r.39B]. 7. Authority to issue directions, during a Restricted Burning Time, to a Bush Fire Control Officer, regarding matters necessary for the prevention of fire on land used as a landing ground for an aeroplane [r.39B(3)]. 8. Authority to prohibit the use of tractors, engines or self-propelled harvester, during a Restricted Burning Times, and to give permission for

3. Bush Fires Act 1954 Delegations

	use of same during the Restricted Burning Time subject to compliance with requirements specified in a notice [s.27(2) and (3)]. 9. Authority to recover the cost of measures taken by the Shire of Mingenew or Bush Fire Control Officer, to extinguish a fire burning during Restricted Burning Times, where the occupier of the land has failed to comply with requirements under s.28(1) to take all possible measures to extinguish a fire the land they occupy [s.28(4)], including authority to recover expenses in any court of competent jurisdiction [s.28(5)].
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	*NIL – Sub-delegation is prohibited by s.48(3)*

Compliance Links:	Nil.
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD39 Restricted Burning Times – Vary and Control Activities (no amendments – 15 June 2022)
2	3.1.4 Restricted Burning Times – Vary and Control Activities (amended 21 June 2023)

3.1.5 Burning Garden Refuse / Open Air Fires

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Bush Fires Act 1954:* s.48 Delegation by local government
Express Power or Duty Delegated:	*Bush Fires Act 1954:* s.24F Burning garden refuse during limited burning times s.24G Minister or local government may further restrict burning of garden refuse s.25 No fire to be lit in open air unless certain precautions taken s.25A Power of Minister to exempt from provisions of section 25 *Bush Fires Regulations 1954:* r.27(3) Permit, issue of
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to give written permission, during prohibited times and restricted times, for an incinerator located within 2m of a building or fence, only where satisfied it is not likely to create a fire hazard [s.24F(2)(b)(ii) and (4)]. 2. Authority to prohibit or impose restrictions on the burning of garden refuse that is otherwise permitted under s.24F [s.24G(2)]. a. Authority to issue directions to an authorised officer as to the manner in which or the conditions under which permits to burn plants or plant refuse shall be issued in the District [r.27(3) and r.33(5)]. b. Authority to prohibit (object to) the issuing of a permit for the burning of a proclaimed plan growing upon any land within the District [r.34]. 3. Authority to provide written approval, during prohibited times and restricted times, for fires to be lit for the purposes of: a. camping or cooking [s.25(1)(a)]. b. conversion of bush into charcoal or for the production of lime, in consultation with an authorised CALM Act officer [s.25(1)(b)]. 4. Authority to prohibit the lighting of fires in the open are for the purposes of camping or cooking for such period during the prohibited burning times as specified in a note published in the Gazette and newspaper circulating in the District and authority to vary such notice [s.25(1a) and (1b)]. 5. Authority to serve written notice on a person to whom an exemption has been given under s.25 for lighting a fire in open air, prohibiting that person from lighting a fire and to determine conditions on the notice [s.25A(5)].
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	*NIL – Sub-delegation is prohibited by s.48(3)*

Compliance Links:	Nil.

3. Bush Fires Act 1954 Delegations

Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD40 Burning Garden Refuse / Open Air Fires (no amendments – 15 June 2022)
2	3.1.5 Burning Garden Refuse / Open Air Fires (amended 21 June 2023)
3	3.1.5 Burning Garden Refuse / Open Air Fires (last reviewed 19 June 2024 – no change))
4	3.1.5 Burning Garden Refuse / Open Air Fires (last reviewed 18 June 2025 – no change))

3.1.6 Firebreaks

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Bush Fires Act 1954:* s.48 Delegation by local government
Express Power or Duty Delegated:	*Bush Fires Act 1954:* s.33 Local government may require occupier of land to plough or clear fire-breaks
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to give written notice to an owner or occupier of land or all owners or occupiers of land within the District, requiring: a. clearing of firebreaks as determined necessary and specified in the notice; and b. act in respect to anything which is on the land and is or is likely to be conducive to the outbreak of a bush fire or the spread or extension of a bush fire; and c. as a separate or coordinated action with any other person carry out similar actions [s.33(1)]. d. determine that these matters have been acted upon to the satisfaction of the Shire of Mingenew. 2. Authority to direct a Bush Fire Control Officer or any other employee to enter onto the land of an owner or occupier to carry out the requisitions of the notice which have not been complied with [s.33(4)]. a. Authority to recover any costs and expenses incurred in doing the acts, matters or things required to carry out the requisitions of the notice [s.33(5)].
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	*NIL – Sub-delegation is prohibited by s.48(3)*

Compliance Links:	Nil.
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD41 Firebreaks (no amendments – 15 June 2022)
2	3.1.6 Firebreaks (amended 21 June 2023)
3	3.1.6 Firebreaks (last reviewed 19 June 2024 – no change)
4	3.1.6 Firebreaks (last reviewed 18 June 2025 – no change)

3.1.7 Recovery of Expenses Incurred through Contraventions of this Act

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

Compliance Links:	Nil
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD42 Recovery of Expenses Incurred through Contraventions of the Bush Fires Act (last reviewed 15 June 2022 – no change)
2	3.1.7 Recovery of Expenses Incurred through Contraventions of this Act (amended 21 June 2023)
3	3.1.7 Recovery of Expenses Incurred through Contraventions of this Act (last reviewed 19 June 2024 – no change)
4	3.1.7 Recovery of Expenses Incurred through Contraventions of this Act (last reviewed 18 June 2025 – no change)

4 Cat Act 2011 Delegations

4.1 Council to CEO

4.1.1 Cat Registrations

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Cat Act 2011:* s.44 Delegation by local government
Express Power or Duty Delegated:	*Cat Act 2011*: s.9 Registration s.10 Cancellation of registration s.11 Registration numbers, certificates and tags *Cat Regulations 2012* Schedule 3, cl.1(4) Fees Payable
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to grant, or refuse to grant, a cat registration or renewal of a cat registration [s.9(1)]. 2. Authority to refuse to consider an application for registration or renewal where an applicant does not comply with a requirement to give any document or information required to determine the application [s.9(6)]. 3. Authority to cancel a cat registration [s.10]. 4. Authority to give the cat owner a new registration certificate or tag, if satisfied that the original has been stolen, lost, damaged or destroyed [s.11(2)]. 5. Authority to reduce or waive a registration or approval to breed fee, in respect of any individual cat or any class of cats within the Shire's District [Regs. Sch. 3 cl.1(4)]. 6. Authority to appoint authorised persons and/or classes of persons as authorised persons per the purposes of this Act.
Council Conditions on this Delegation:	a. Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the *Cat Act 2011*.
Express Power to Sub-Delegate:	*Cat Act 2011:* s.45 Delegation by CEO of local government

Sub-Delegate/s: *Appointed by CEO*	Manager Corporate Services Manager Governance and Community
CEO Conditions on this Sub-Delegation: *Conditions on the delegation also apply to sub-delegation.*	a. Excludes authority to reduce of waive a registration or approval to breed fee (must be referred to the CEO).

Compliance Links:	Cat Regulations 2012 r.11 Application for registration (s.8(2)), prescribes the Form of applications for registration.

	r.12 Period of registration (s.9(7)) r.11 Changes in registration r.14 Registration certificate (s.11(1)(b)) r.15 Registration tags (s.76(2)) Decisions are subject to Objection and Review by the State Administration Tribunal rights – refer Part 4, Division 5 of the *Cat Act 2011*.
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD19 Certain duties under the Cat Act 2011 (no amendments – 15 June 2022)
2	4.1.1 Cat Registrations (amended 21 June 2023)

4.1.2 Cat Control Notices

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

Sub-Delegate/s: *Appointed by CEO*	Manager Governance and Community Manager Corporate Services
CEO Conditions on this Sub-Delegation: *Conditions on the delegation also apply to sub-delegation.*	No additional conditions.

Compliance Links:	*Cat Regulations 2012* – r.20 Cat control notice [s.23(3)], prescribes the Form of the notice. Nil.
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD19 Certain duties under the Cat Act 2011 (no amendments – 15 June 2022)
2	4.1.2 Cat Control Notices (amended 21 June 2023)

4.1.3 Approval to Breed Cats

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Cat Act 2011:* s.44 Delegation by local government
Express Power or Duty Delegated:	*Cat Act 2011:* s.37 Approval to Breed Cats s.38 Cancellation of approval to breed cats s.39 Certificate to be given to approved cat breeder
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to grant or refuse to grant approval or renew an approval to breed cats [s.37(1) and (2)]. 2. Authority to refuse to consider an application for registration or renewal where an applicant does not comply with a requirement to give any document or information required to determine the application [s.37(4)]. 3. Authority to cancel an approval to breed cats [s.38]. 4. Authority to give an approved breeder a new certificate or tag, if satisfied that the original has been stolen, lost, damaged or destroyed [s.39(2)].
Council Conditions on this Delegation:	a. Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the *Cat Act 2011*.
Express Power to Sub-Delegate:	*Cat Act 2011:* s.45 Delegation by CEO of local government

Sub-Delegate/s: *Appointed by CEO*	Nil.
CEO Conditions on this Sub-Delegation: *Conditions on the delegation also apply to sub-delegation.*	No additional conditions.

Compliance Links:	Cat Regulations 2012: r.21 Application for approval to breed cats (s.36(2)) r.22 Other circumstances leading to refusal of approval to breed cats (s.37(2)(f)) r.23 Person who not be refused approval to breed cats (s.37(5)) r.24 Duration of approval to breed cats (s.37(6)) r.25 Certificate given to approved cat breeder (s.39(1)) Nil.
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD19 Certain duties under the Cat Act 2011 (no amendments – 15 June 2022)
2	4.1.3 Approval to Breed Cats (amended 21 June 2023)

4.1.4 Recovery of Costs – Destruction of Cats

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

Sub-Delegate/s: *Appointed by CEO*	Nil.
CEO Conditions on this Sub-Delegation: *Conditions on the delegation also apply to sub-delegation.*	No additional conditions.

Compliance Links:	Nil.
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD19 Certain duties under the Cat Act 2011 (last reviewed 15 June 2022 – no changes)
2	4.1.4 Recovery of Costs – Destruction of Cats (amended 21 June 2023)

4.1.5 Applications to Keep Additional Cats

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Cat Act 2011:* s.44 Delegation by local government
Express Power or Duty Delegated:	*Cat (Uniform Local Provisions) Regulations 2013*: r.8 Application to keep additional number of cats r.9 Grant of approval to keep additional number of cats
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to require any document or additional information required to determine an application [r.8(3)] 2. Authority to refuse to consider an application if the applicant does not comply with a requirement to provide any document or information required to determine an application [r.8(4)]. 2. Authority to grant or refuse approval for additional number of cats specified in an application to be kept at the prescribed premises and to determine any condition reasonably necessary to ensure premises are suitable for the additional number of cats [r.9].
Council Conditions on this Delegation:	a. Notices of decisions must include advice as to Review rights in accordance with r.11 of the *Cat (Uniform Local Provisions) Regulations 2013*.
Express Power to Sub-Delegate:	*Cat Act 2011:* s.45 Delegation by CEO of local government

Sub-Delegate/s: *Appointed by CEO*	Nil.
CEO Conditions on this Sub-Delegation: *Conditions on the delegation also apply to sub-delegation.*	No additional conditions.

Compliance Links:	Nil.
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD19 Certain duties under the Cat Act 2011
2	4.1.5 Applications to Keep Additional Cats (amended 21 June 2023)

4.1.6 Reduce or Waiver Registration Fee

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

Sub-Delegate/s: *Appointed by CEO*	Nil.
CEO Conditions on this Sub-Delegation: *Conditions on the delegation also apply to sub-delegation.*	No additional conditions.

Compliance Links:	Nil.
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	4.1.6 Reduce or Waiver Registration Fee (NEW – 21 June 2023)
2	4.1.6 Reduce or Waiver Registration Fee (last reviewed 19 June 2024 – no change)
3	4.1.6 Reduce or Waiver Registration Fee (last reviewed 18 June 2025 – no change)

4. Cat Act 2011 Delegations

5 Dog Act 1974 Delegations

5.1 Dog Act Delegations Council to CEO

5.1.1 Appoint Registration Officer

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Dog Act 1976:* s.10AA Delegation of local government powers and duties
Express Power or Duty Delegated:	*Dog Act 1976*: s.3 Terms Used (*Registration officer means a person authorised by the local government to effect the registration of dogs pursuant to this Act*)
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to authorise a person for the purposes of performing the prescribed office of Registration Officer under the Dog Act 1976 [s.3].
Council Conditions on this Delegation:	a. The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)]. b. A register of Authorisations is to be maintained as a Local Government Record. c. Only persons who are appropriately qualified and trained may be appointed as Authorised persons. d. Authorisations are to be provided in writing by issuing a Certificate of Authorisation.
Express Power to Sub-Delegate:	*Dog Act 1976:* s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

Sub-Delegate/s: *Appointed by CEO*	Nil.
CEO Conditions on this Sub-Delegation: *Conditions on the delegation also apply to sub-delegation.*	No additional conditions.

Compliance Links:	Nil
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	5.1.1 Appoint Registration Officer (NEW – 21 June 2023)
2	5.1.1 Appoint Registration Officer (last reviewed 19 June 2024 – no change)
3	5.1.1 Appoint Registration Officer (last reviewed 18 June 2025 – no change)

5.1.2 Refuse or Cancel Registration

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Dog Act 1976:* s.10AA Delegation of local government powers and duties
Express Power or Duty Delegated:	*Dog Act 1976*: s.15(2) and (4A) Registration periods and fees s.16(3) Registration procedure s.17A(2) If no application for registration made s.17(4) and (6) Refusal or cancellation of registration
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to determine to refuse a dog registration and refund the fee, if any [s.16(2)]. 2. Authority to direct the registration officer to refuse to effect or renew or to cancel the registration of a dog, and to give notice of such decisions, where: i. the applicant, owner or registered owner has been convicted of an offence or paid a modified penalty within the past 3-years in respect of 2 or more offences against this Act, the *Cat Act 2011* or the *Animal Welfare Act 2002*; or ii. the dog is determined to be destructive, unduly mischievous or to be suffering from a contagious or infectious disease or iii. the delegate is not satisfied that the dog is or will be effectively confined in or at premises where the dog is ordinarily kept iv. the dog is required to be microchipped but is not microchipped; or v. the dog is a dangerous dog [s.16(3) and s.17A(2)]. 3. Authority to discount or waive a registration fee, including a concessional fee, for any individual dog or any class of dogs within the Shire's District [s15(4A)]. 4. Authority to apply to a Justice of the Peace for an order to seize a dog where, following a decision to refuse or cancel a registration and the applicant / owner has not applied to the State Administration Tribunal for the decision to be reviewed. [s.17(4)]. i. Authority, following seizure, to determine to cause the dog to be detained or destroyed or otherwise disposed of as though it had be found in contravention of section 31, 32 or 33A and had not been claimed [s.17(6)]
Council Conditions on this Delegation:	a. The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)].
Express Power to Sub-Delegate:	*Dog Act 1976:* s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

Sub-Delegate/s: *Appointed by CEO*	Manager Governance and Community Manager Corporate Services

5. Dog Act 1976 Delegations

CEO Conditions on this Sub-Delegation: *Conditions on the delegation also apply to sub-delegation.*	a. Excludes authority to discount or waive a registration fee

Compliance Links:	*Dog Act 1976* s.17A If no application for registration made – procedure for giving notice of decision under s.16(3) Note – Decisions under this delegation may be referred for review by the State Administration Tribunal – s.16A, s.17(4) and (6) Nil
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD18 Certain Duties under the Dog Act 1976 (no amendments – 15 June 2022)
2	5.1.2 Refuse or Cancel Registration (amended 21 June 2023)

5.1.3 Recovery of Moneys Due Under this Act

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

Sub-Delegate/s: *Appointed by CEO*	Nil.
CEO Conditions on this Sub-Delegation: *Conditions on the delegation also apply to sub-delegation.*	No additional conditions.

Compliance Links:	Includes recovery of expenses relevant to: s.30A(3) Operator of dog management facility may have dog microchipped at owner's expense s.33M Local government expenses to be recoverable. s.47 Veterinary service expenses recoverable from local government r.31 Local government expenses as to dangerous dogs (declared)
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD18 Certain Duties under the Dog Act 1976 (no amendments – 15 June 2022)
2	5.1.3 Recovery of Moneys Due Under this Act (amended 21 June 2023)

5.1.4 Dispose of or Sell Dogs Liable to be Destroyed

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

Sub-Delegate/s: *Appointed by CEO*	Nil.
CEO Conditions on this Sub-Delegation: *Conditions on the delegation also apply to sub-delegation.*	No additional conditions.

Compliance Links:	Nil.
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD18 Certain Duties under the Dog Act 1976 (no amendments – 15 June 2022)
2	5.1.4 Dispose f or Sell Dogs Liable to be Destroyed (amended 21 June 2023)

5.1.5 Declare Dangerous Dog

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

Sub-Delegate/s: *Appointed by CEO*	Nil.
CEO Conditions on this Sub-Delegation: *Conditions on the delegation also apply to sub-delegation.*	No additional conditions.

Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	5.1.5 Declare Dangerous Dog (NEW – 21 June 2023)

5.1.6 Dangerous Dog Declared or Seized – Deal with Objections and Determine when to Revoke

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Dog Act 1976:* s.10AA Delegation of local government powers and duties
Express Power or Duty Delegated:	*Dog Act 1976*: s.33F(6) Owners to be notified of making of declaration s.33G(4) Seizure and destruction s.33H(1) and (2) Local government may revoke declaration or proposal to destroy
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to consider and determine to either dismiss or uphold an objection to the declaration of a dangerous dog [s.33F(6)]. 2. Authority to consider and determine to either dismiss or uphold an objection to seizure of a dangerous dog [s.33G(4)]. 3. Authority to revoke a declaration of a dangerous dog or revoke notice proposing to cause a dog to be destroyed, only where satisfied that the dog can be kept without likelihood of any contravention of this Act [s.33H(1)] i. Authority to, before dealing with an application to revoke a declaration or notice, require the owner of the dog to attend with the dog a course in behaviour and training or otherwise demonstrate a change in the behaviour of the dog [s.33H(2)].
Council Conditions on this Delegation:	a. The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)].
Express Power to Sub-Delegate:	*Dog Act 1976:* s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

Sub-Delegate/s: *Appointed by CEO*	Nil.
CEO Conditions on this Sub-Delegation: *Conditions on the delegation also apply to sub-delegation.*	No additional conditions.

Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal – See s.33H(5) of the *Dog Act 1976*
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD18 Certain Duties under the Dog Act 1976 (no amendments – 15 June 2022)
2	5.1.6 Dangerous Dog Declared or Seized – Deal with Objections and Determine when to Revoke (amended 21 June 2023)

5.1.7 Determine Recoverable Expenses for Dangerous Dog Declaration

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

Sub-Delegate/s: *Appointed by CEO*	Nil.
CEO Conditions on this Sub-Delegation: *Conditions on the delegation also apply to sub-delegation.*	No additional conditions.

Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	5.1.7 Determine Recoverable Expenses for dangerous Dog Declaration (NEW – 21 June 2023)

6 Food Act 2008 Delegations

6.1 Council to CEO

6.1.1 Prohibition Orders and Certificates of Clearance

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Food Act 2008:* s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
Express Power or Duty Delegated:	*Food Act 2008*: s.65(1) Prohibition orders s.66 Certificate of clearance to be given in certain circumstances s.67(4) Request for re-inspection
Delegate:	Chief Executive Officer Environmental Health Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to serve a prohibition order on the proprietor of a food business in accordance with s.65 of the Food Act 2008 [s.65(1)]. 2. Authority to give a certificate of clearance, where inspection demonstrates compliance with a prohibition order and any relevant improvement notices [s.66]. 3. Authority to give written notice to proprietor of a food business on whom a prohibition order has been served of the decision not to give a certificate of clearance after an inspection [s.67(4)].
Council Conditions on this Delegation:	a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.
Express Power to Sub-Delegate:	NIL – Food Regulations 2009 do not provide for sub-delegation.

Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD16 Perform Certain Duties under the Food Act (no amendments – 15 June 2022)
2	6.1.1 Prohibition Orders and Certificates of Clearance (amended 21 June 2023)

6.1.2 Food Business Registrations

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Food Act 2008:* s.118Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
Express Power or Duty Delegated:	*Food Act 2008*: s.110(1) and (5) Registration of food business s.112 Variation of conditions or cancellation of registration of food businesses
Delegate:	Chief Executive Officer Environmental Health Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to consider applications and determine registration of a food business and grant the application with or without conditions or refuse the registration [s.110(1) and (5)]. 2. Authority to vary the conditions or cancel the registration of a food business [s.112].
Council Conditions on this Delegation:	a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time, including but not limited to: • Food Act 2008 Regulatory Guideline No.1 Introduction of Regulatory Food Safety Auditing in WA • Food Unit Fact Sheet 8 – Guide to Regulatory Guideline No.1 • WA Priority Classification System • Verification of Food Safety Program Guideline
Express Power to Sub-Delegate:	NIL – Food Regulations 2009 do not provide for sub-delegation.

Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD16 Perform Certain Duties under the Food Act (no amendments – 15 June 2022)
2	6.1.2 Food Business Registrations (amended 21 June 2023)

6.1.3 Appoint Authorised Officers and Designated Officers

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Food Act 2008:* s.118Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
Express Power or Duty Delegated:	*Food Act 2008*: s.122(1) Appointment of authorised officers s.126(6), (7) and (13) Infringement Officers
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to appoint a person to be an authorised officer for the purposes of the Food Act 2008 [s.122(2)]. 2. Authority to appoint an Authorised Officer appointed under s.122(2) of this Act or the s.24(1) of the *Public Health Act 2016,* to be a Designated Officer for the purposes of issuing Infringement Notices under the *Food Act 2008* [s.126(13)]. 3. Authority to appoint an Authorised Officer to be a Designated Officer (who is prohibited by s.126(13) from also being a Designated Officer for the purpose of issuing infringements), for the purpose of extending the time for payment of modified penalties [s.126(6)] and determining withdrawal of an infringement notice [s.126(7).
Council Conditions on this Delegation:	a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time, including but not limited to: • Appointment of Authorised Officers as Meat Inspectors • Appointment of Authorised Officers • Appointment of Authorised Officers – Designated Officers only • Appointment of Authorised Officers – Appointment of persons to assist with the discharge of duties of an Authorised Officer
Express Power to Sub-Delegate:	NIL – Food Regulations 2009 do not provide for sub-delegation.

Compliance Links:	s.122(3) requires an Enforcement Agency to maintain a list of appointed authorised officers s.123(1) requires an Enforcement Agency to provide each Authorised Officer with a Certificate of Authority as prescribed
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD16 Perform Certain Duties under the Food Act (no amendments – 15 June 2022)
2	6.1.3 Appoint Authorised Officers and Designated Officers (amended 21 June 2023)

7 Public Health Act 2016 Delegations

7.1 Council to CEO

7.1.1 Enforcement Agency Reports to the Chief Health Officer

Delegator: *Power / Duty assigned in legislation to:*	Enforcement Agency (means Local Government vide s.4 definition)
Express Power to Delegate: *Power that enables a delegation to be made*	*Public Health Act 2016:* s.21 Enforcement agency may delegate
Express Power or Duty Delegated:	*Public Health Act 2016* s.22 Reports by and about enforcement agencies
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to prepare and provide to the Chief Health Officer, the Local Government's report on the performance of its functions under this Act and the performance of functions by persons employed or engaged by the Shire of Mingenew [s.22(1)] 2. Authority to prepare and provide to the Chief Health Officer, a report detailing any proceedings for an offence under this Act [s.22(2)].
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	Nil – Unless a Regulation enacted under the Public Health Act 2016, specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].

Compliance Links:	*Public Health Act 2016* s.20 Conditions on performance of functions by enforcement agencies.
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	7.1.1 Enforcement Agency Reports to the Chief Health Officer (NEW – 21 June 2023)

7.1.2 Designate Authorised Officers

Delegator: *Power / Duty assigned in legislation to:*	Enforcement Agency (means Local Government vide s.4 definition)
Express Power to Delegate: *Power that enables a delegation to be made*	*Public Health Act 2016:* s.21 Enforcement agency may delegate
Express Power or Duty Delegated:	*Public Health Act 2016* s.24(1) and (3) Designation of authorised officers
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to designate a person or class of persons as authorised officers for the purposes of: i. The Public Health Act 2016 or other specified Act ii. Specified provisions of the Public Health Act 2016 or other specified Act iii. Provisions of the Public Health Act 2016 or another specified Act, other than the specified provisions of that Act. Including: a. an environmental health officer or environmental health officers as a class; OR b. a person who is not an environmental health officer or a class of persons who are not environmental health officers, OR c. a mixture of the two. [s.24(1) and (3)].
Council Conditions on this Delegation:	a. Subject to each person so appointed being; • Appropriately qualified and experienced [s.25(1)(a)]; and • Issued with a certificate, badge or identity card identifying the authorised officer [s.30 and 31]. b. A Register (list) of authorised officers is to be maintained in accordance with s.27.
Express Power to Sub-Delegate:	Nil – Unless a Regulation enacted under the Public Health Act 2016, specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].

Compliance Links:	*Public Health Act 2016* s.20 Conditions on performance of functions by enforcement agencies. s.25 Certain authorised officers required to have qualifications and experience. s.26 Further provisions relating to designations s.27 Lists of authorised officers to be maintained s.28 When designation as authorised officer ceases s.29 Chief Health Officer may issue guidelines about qualifications and experience of authorised officers s.30 Certificates of authority s.31 Issuing and production of certificate of authority for purposes of other written laws s.32 Certificate of authority to be returned. s.136 Authorised officer to produce evidence of authority *Criminal Investigation Act 2006*, Parts 6 and 13 – refer s.245 of the *Public Health Act 2016* *The Criminal Code*, Chapter XXVI – refer s.252 of the *Public Health Act 2016*

8. Public Health Act 2016 Delegations

Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD15 Designated Authorised Officers – Public Health Act 2016 (no amendments 15 June 2022)
2	7.1.2 Designate Authorised Officers (amended 21 June 2023)

8 Planning and Development Act 2005 Delegations

8.1 Council to CEO

8.1.1 Dealing with and Approving Development Applications

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42(b) Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO *Planning and Development Act 2005* 2.257C Regulations dealing with performance of functions under local planning schemes in relation to single house development *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2 Part 10 cl.82 - Delegations by local government Schedule 2 Part 10 cl.83 - Local government CEO may delegate powers
Express Power or Duty Delegated:	*Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2 Part 10 cl.83 Regulation 64 - Advertisement of approved amendment to local planning scheme
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	Authority to: 1. Approve certain development applications in accordance with the conditions below. 2. Refer any development application for Council decision where the application may be contentious, or refusal of the application is recommended. 3. Give notice with regard to local planning scheme amendments [r.64]
Council Conditions on this Delegation:	a. All development applications may be dealt with by the CEO if they satisfy the following land uses and development classes as defined under the Local Planning Scheme No.4 Zoning Table [pg. 12]:

Type	Description	Meaning
"P"	Permitted	means that the use is permitted if it complies with all relevant development standards and requirements of the Scheme
"I"	Incidental	means that the use is permitted if it is consequent on, or naturally attaching, appertaining or relating to the predominant use of the land and it complies with all relevant development standards and requirements of the Scheme
"D"	Discretionary	means that the use is not permitted unless the local government has exercised its discretion by granting development approval
"A"	Advertising	means that the use is not permitted unless the local government has exercised its discretion by granting development approval after giving

	notice in accordance with clause 64 of the deemed provisions; ** approvals may be granted only where a sound assessment of the application has been undertaken to determine if legislative and Scheme requirements have been met.* b. The delegation does not extend to "X" (Not permitted), or unidentifiable land uses, and development classes as defined under the Local Planning Scheme No.4 Zoning Table, and are to be referred to Council. c. Referral of a development approval to Council is not permitted for prescribed development approval functions under 257C of the *Planning and Development Act 2005* in relation to single house development and must be performed by the CEO (or another employee authorised by the CEO).
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	Nil.
CEO Conditions on this Sub-Delegation: *Conditions on the delegation also apply to sub-delegation.*	N/A

Compliance Links:	Part 13 of the *Planning and Development Act 2005* Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Shire of Mingenew Local Planning Scheme No.4
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD14 Dealing with and Approving Development Applications (last reviewed 15 June 2022)
2	8.1.1 Dealing with and Approving Development Applications (amended 21 June 2023)
3	8.1.1 Dealing with and Approving Development Applications (amended 19 June 2024)

8.1.2 Illegal Development

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42(b) Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Planning and Development Act 2005:* Section 214(2), (3) and (5)
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	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: (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.
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	Nil.
CEO Conditions on this Sub-Delegation: *Conditions on the delegation also apply to sub-delegation.*	N/A

Compliance Links:	Part 13 of the *Planning and Development Act 2005* Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Shire of Mingenew Local Planning Scheme No.4
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD20 Planning and Development Act – Illegal Development (last reviewed 15 June 2022)
2	9.1.2 Illegal Development (amended 21 June 2023)

8.1.3 Subdivision Applications

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42(b) Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Planning and Development Act 2005:* Section 214(2), (3) and (5)
Delegate:	Chief Executive Officer
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	Authority to: 1. Give advice to the Western Australian Planning Commission with regards to applications referred to the Shire, subject to the application being consistent with the Shire of Mingenew Local Planning Scheme No. 4, the Residential Design Codes of Western Australia, the Shire of Mingenew Local Planning Strategy, the Shire of Mingenew Townsite Local Planning Strategy, and adopted Local Planning Policies and any other strategies or policies adopted by Council in respect of the affected land and only in the circumstances set out below: (a) Applications proposing the amalgamation of existing lots without any other changes to the boundaries of any of the lots affected by the application. (b) Applications affecting 'Residential' zoned land. (c) Applications for boundary adjustments on other than 'Residential' zoned land where the total number of lots within the area affected by the application will not increase, the size of the smallest lot within the application area will not decrease by greater than 10%, there will be no increase in the number of lots below 100 hectares in size and the proposal represents a rationalisation of boundaries to ensure greater consistency with physical and/or cadastral boundaries. (d) Applications consistent with an endorsed Subdivision Guide Plan or Structure Plan. (e) Applications involving the creation of lots for the purposes of public or servicing authorities, where the application does not involve the creation of any new roads. (f) Amended plans for applications that have been considered by Council within the last two years and the amendments are of a minor nature. (g) Applications previously determined by Council where the Western Australian Planning Commission period of approval has expired (or will imminently expire) and a new application has been required to be lodged. 2. Give advice to the Western Australian Planning Commission with regards to the clearance of conditions determined by the Commission and for which the local government is nominated as a clearance agency,

	subject to the application being consistent with the Shire of Mingenew Local Planning Scheme No. 4, the Residential Design Codes of Western Australia, the Shire of Mingenew Local Planning Strategy, the Shire of Mingenew Townsite Local Planning Strategy, and adopted Local Planning Policies and any other strategies or policies adopted by Council in respect of the affected land and only in the circumstances set out below: (a) Where the Western Australian Planning Commission has not been advised in respect of any particular application pursuant to the delegations outlined in Clause 1.1 above, Council may, when giving consideration to the application identify any of the recommended conditions as being conditions that need to be referred to Council for consideration prior to clearing. (b) Where clearance of conditions is to be determined pursuant to this clause and the applicant feels aggrieved by any decision of the delegated officer, the applicant may require that the matter be referred to Council for reconsideration. In such cases the applicant shall provide a written statement outlining the basis of their request for reconsideration. Unless otherwise agreed to by the delegated officer, such written statement shall be provided a minimum of 10 working days prior to the meeting at which the applicant wishes the matter to be reconsidered. 3. Notwithstanding the above, any matter may be referred to Council for consideration where, in the opinion of the delegated officer, it is considered appropriate. 4. For each decision made during the preceding calendar month/s, the summary shall identify; the WAPC reference number, the name/s of the proponents and owners, the particulars of the affected property, a short description of the proposal, the date of determination, whether the decision was made pursuant to Clause 1 or 2 and if the decision was made under a sub-delegation.
Council Conditions on this Delegation:	a. All subdivision applications referred by the Western Australian Planning Commission that are not consistent with the Shire of Mingenew Local Planning Scheme No. 4, the Residential Design Codes of Western Australia, the Shire of Mingenew Local Planning Strategy, the Shire of Mingenew Townsite Local Planning Strategy, and adopted Local Planning Policies and any other strategies or policies adopted by Council in respect of the affected land and/or refusal of the application is recommended, shall be referred to Council for consideration.
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	Nil.
CEO Conditions on this Sub-Delegation: *Conditions on the delegation also apply to sub-delegation.*	N/A

Compliance Links:	Part 13 of the *Planning and Development Act 2005*

	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Shire of Mingenew Local Planning Scheme No.4 Residential Design Codes of Western Australia Shire of Mingenew Local Planning Strategy Shire of Mingenew Townsite Local Planning Strategy Local Planning Policies
Record Keeping:	Regulation 19 LG (Admin) Regulations 1996, requires delegates to keep a written record of how and when they exercise the power or discharge the duty and the persons or classes of persons directly affected. The delegate is to ensure that all evidentiary documents meet the requirements of r19 LG (Admin) Regulations 1996 and are retained on the Shire's record keeping database.

Version Control:

1	CD23 Subdivision Applications (last reviewed 15 June 2022)
2	9.1.3 Subdivision Applications (amended 21 June 2023)

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

9.1 Environmental Protection Act 1986

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

Published by:
Environment

GOVERNMENT GAZETTE
Western Australia
Previous Close Next

No. 47. 19-Mar-2004
Page: 919 Pdf - 476kb

EV401

ENVIRONMENTAL PROTECTION ACT 1986
Section 20
Delegation No. 52

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

Powers and duties delegated—

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

Persons to whom delegation made—

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

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

Dated this 9th day of January 2004.

Approved—

FERDINAND TROMP, A/Chief Executive Officer.

Dr JUDY EDWARDS MLA, Minister for the Environment.

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

Published by:
Environment

GOVERNMENT GAZETTE
Western Australia
Previous Close Next

No. 232. 20-Dec-2013
Page: 6282 Pdf - 3Mb

EV402

ENVIRONMENTAL PROTECTION ACT 1986

Delegation No. 112

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

(a) waste collection and other works--noise management plans relating to specified works under regulation 14A or 14B;

(b) bellringing or amplified calls to worship--the keeping of a log of bellringing or amplified calls to worship requested under regulation 15(3)(c)(vi);

(c) community activities--noise control notices in respect of community noise under regulation 16;

(d) motor sport venues--noise management plans in relation to motor sport venues under Part 2 Division 3;

(e) shooting venues--noise management plans in relation to shooting venues under Part 2 Division 4;

(f) calibration results--requesting, under regulation 23(b), details of calibration results undertaken and obtained under Schedule 4;

(g) sporting, cultural and entertainment events--approval of events or venues for sporting, cultural and entertainment purposes under Part 2 Division 7, subject to the following limitation--

(i) Subregulation 18(13)(b) is not delegated.

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

Dated the 12th day of December 2013.

JASON BANKS, Acting Chief Executive Officer.

Approved by--

JOHN DAY, Acting Minister for Environment; Heritage.

9.1.3 Noise Management Plans – Construction Sites

Published by:
Environment

GOVERNMENT GAZETTE
Western Australia
Previous Close Next

No. 71. 16-May-2014
Page: 1548 Pdf - 2Mb

EV405

ENVIRONMENTAL PROTECTION ACT 1986

Delegation No. 119

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

(a) Chief Executive Officer under the *Local Government Act 1995;* and

(b) to any employee of the local government under the *Local Government Act 1995* who is appointed as an Authorised Person under section 87 of the Act,

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

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

Dated the 1st day of May 2014.

JASON BANKS, Acting Chief Executive Officer.

9.2 Planning and Development Act 2005

9.2.1 Instrument of Authorisation – Local Government CEOs - Sign Development Applications for Crown Land as Owner

DoL FILE 1738/2002v8; 858/2001v9

PLANNING AND DEVELOPMENT ACT 2005

INSTRUMENT OF AUTHORISATION

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

Dated the 2nd day of June 2016

HON DONALD TERRENCE REDMAN MLA
MINISTER FOR LANDS

SCHEDULE

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

Column 1

The power to sign as owner in respect of Crown land that is:

- a reserve managed by the local government pursuant to section 46 of the *Land Administration Act 1997* and the development is consistent with the reserve purpose and the development is not for a commercial purpose; or
- the land is a road of which the local government has the care, control and management under section 55(2) of the *Land Administration Act 1997* and where there is no balcony or other structure proposed to be constructed over that road unless that structure comes within the definition of a "minor encroachment" in the Building Regulations 2012 (Regulation 45A), or is an "awning, verandah or thing" (Regulation 45B), or is a ground anchor, and where the development is consistent with the use of the land as a road.

in respect of development applications being made under or referred to in:

(i) section 99(2) of the *Planning and Development Act 2005* in respect of development for which approval is required under a regional interim development order (as that term is defined in that Act);

(ii) section 103(2) of the *Planning and Development Act 2005* in respect of development for which approval is required under a local interim development order (as that term is defined in that Act);

(iii) section 115 of the *Planning and Development Act 2005* in respect of development within a planning control area (as that term is defined in that Act);

(iv) section 122A of the Planning and Development Act 2005 in respect of which approval is required under an improvement scheme (as that term is defined in that Act);

(v) section 162 of the *Planning and Development Act 2005* in respect of developments for which approval is required under a planning scheme or interim development order (as those terms are defined in that Act);

(vi) section 163 of the *Planning and Development Act 2005* in respect of development on land which is comprised within a place entered in the Register maintained by the Heritage Council under the *Heritage of Western Australia Act 1990*, or of which such a place forms part;

(vii) section 171A of the *Planning and Development Act 2005* in respect of a prescribed development application (as that term is defined in that section of that Act).

Column 2

City of Albany
City of Armadale
Shire of Ashburton
Shire of Augusta-Margaret River
Town of Bassendean
City of Bayswater
City of Belmont
Shire of Beverley
Shire of Boddington
Shire of Boyup Brook
Shire of Bridgetown-Greenbushes
Shire of Brookton
Shire of Broome
Shire of Broomehill-Tambellup
Shire of Bruce Rock
City of Bunbury
Shire of Busselton
Town of Cambridge
City of Canning
Shire of Capel
Shire of Carnamah
Shire of Carnarvon
Shire of Chapman Valley
Shire of Chittering
Shire of Christmas Island
Town of Claremont
City of Cockburn
Shire of Cocos (Keeling) Islands
Shire of Collie
Shire of Coolgardie
Shire of Coorow
Shire of Corrigin
Town of Cottesloe
Shire of Cranbrook
Shire of Cuballing
Shire of Cue
Shire of Cunderdin
Shire of Dalwallinu
Shire of Dandaragan
Shire of Dardanup
Shire of Denmark
Shire of Derby/West Kimberley
Shire of Donnybrook-Balingup
Shire of Dowerin
Shire of Dumbleyung
Shire of Dundas
Town of East Fremantle
Shire of East Pilbara
Shire of Esperance
Shire of Exmouth
City of Fremantle
City of Greater Geraldton

Shire of Gingin
Shire of Gnowangerup
Shire of Goomalling
City of Gosnells
Shire of Halls Creek
Shire of Harvey
Shire of Irwin
Shire of Jerramungup
City of Joondalup
Shire of Kalamunda
City of Kalgoorlie-Boulder
Shire of Katanning
Shire of Kellerberrin
Shire of Kent
Shire of Kojonup
Shire of Kondinin
Shire of Koorda
Shire of Kulin
City of Kwinana
Shire of Lake Grace
Shire of Laverton
Shire of Leonora
City of Mandurah
Shire of Manjimup
Shire of Meekatharra
City of Melville
Shire of Menzies
Shire of Merredin
Shire of Mingenew
Shire of Moora
Shire of Morawa
Town of Mosman Park
Shire of Mount Magnet
Shire of Mt Marshall
Shire of Mukinbudin
Shire of Mundaring
Shire of Murchison
Shire of Murray

Column 3

In accordance with and subject to approved Government Land policies.

Any signature subject to the following endorsement:
Signed only as acknowledgement that a development application is being made in respect of a proposal that includes Crown land, Crown reserves under management for the purpose, or a road and to permit this application to be assessed under the appropriate provision of the *Planning and Development Act 2005* (including any planning scheme). The signature does not represent approval or consent for planning purposes. Further, in the event that development approval is granted for the proposal, the above signature should not be taken as an acknowledgement of or consent to the commencement or carrying out of the proposed development or to any modification of the tenure or reservation classification of the Crown land component.

10. Chief Executive Officer Authorisations

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

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

HON DONALD TERRENCE REDMAN MLA
MINISTER FOR LANDS

2nd ..... day of June 2016

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

PL402

PLANNING AND DEVELOPMENT ACT 2005

INSTRUMENT OF DELEGATION

Del 2020/01 Powers of Local Governments

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

Preamble

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

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

Resolution under section 16 of the Act (delegation)

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

A. TO DELEGATE to local governments, and to members and officers of those local governments, its powers and functions under section 15 of the *Strata Titles Act 1985* as set out in clause 1 of Schedule 1, within their respective districts, subject to the conditions set out in clause 3 of Schedule 1;

B. TO DELEGATE to local governments, and to members and officers of those local governments, its powers and functions under sections 21 and 22 of the *Strata Titles Act 1985* as set out in clause 2 of Schedule 1, within their respective districts, subject to the conditions set out in clause 3 of Schedule 1;

C. TO AMEND "Del 2020/01—Powers of Local Governments" to give effect to its resolution and to publish an updated, consolidated instrument.

SAM FAGAN, Western Australian Planning Commission.

Schedule 1

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

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

(a) propose the creation of a vacant lot;

(b) propose vacant air stratas in multi-tiered strata scheme developments;

(c) propose the creation or postponement of a leasehold scheme;

(d) propose a type 1 (a) subdivision or a type 2 subdivision (as defined in section 3 of the *Strata Titles Act 1985*);

(e) in the opinion of the WAPC as notified to the relevant local government in writing, or in the opinion of the relevant local government as notified to the WAPC in writing, relate to—

i. a type of development; and/or

ii. land within an area,

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

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

Power to determine applications under—

(a) section 21 of the *Strata Titles Act 1985*;

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

3. Reporting requirements

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

9.3 Main Roads Act 1930

9.3.1 Traffic Management - Events on Roads

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

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

RELATING TO
TRAFFIC MANAGEMENT FOR EVENTS

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

i) "event" subject to an order from the Commissioner of Police pursuant to Part VA of the *Road Traffic Act 1974*;

ii) race meeting or speed test for which the Minister referred to in section 83 of the *Road Traffic Act 1974* has, under that provision, temporarily suspended the operation of any provisions of the *Road Traffic Act 1974* or regulations made under that Act; or

iii) public meeting or procession the subject of a permit granted by the Commissioner of Police under the *Public Order in Streets Act 1984*;

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

(a) the Authorised Body shall at all times observe, perform and comply with the provisions of the "Traffic Management for Events Code of Practice" (as amended or replaced from time to time in consultation with the Traffic Management for Events Advisory Group) issued by Main Roads Western Australia ("the Code") referring to the version which is current at the time of the event, a copy of which can be obtained from Main Roads Western Australia from www.mainroads.wa.gov.au or by contacting Main Roads by phone;

(b) the Authorised Body shall develop and implement procedures that will satisfy the Commissioner that traffic management implemented by the Authorised Body, its employees, agents and contractors will in all respects conform to and comply with the requirements of the Code; and

(c) the Authorised Body shall ensure that its Representatives comply with the terms and conditions identified above at paragraphs (a) and (b) as if they were named in those paragraphs in place of the Authorised Body.

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

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

1) any prior Instrument of Authorisation from the Commissioner of Main Roads for the purposes of undertaking traffic management for works on roads; and

2) any powers and responsibilities of a local government provided in regulation 9 of the *Road Traffic (Events on Roads) Regulations 1991*.

Page 1 of 2

Dated:

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

_____
Signature of Witness

_____
Name of Witness (please print)

ACKNOWLEDGMENT BY AUTHORISED BODY

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

THE COMMON SEAL of)
)
)
_____)
[Insert name of Local Government])
)
Was hereunto affixed pursuant to a resolution of the Council in the presence of:)
)
)
)

_____
Signature of Chief Executive Officer

_____
Signature of Witness

_____
Name of Witness (please print)

9.3.2 Traffic Management – Road Works

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

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

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

(a) the Authorised Body shall at all times observe, perform and comply with the provisions of the "Traffic Management for Works on Roads Code of Practice" (as amended or replaced from time to time in consultation with the Traffic Management for Roadworks Advisory Group) issued by Main Roads Western Australia ("the Code") referring to the version which is current at the time of the relevant works, a copy of which can be obtained from Main Roads Western Australia from www.mainroads.wa.gov.au or by contacting Main Roads by phone;

(b) the Authorised Body shall develop and implement procedures that will satisfy the Commissioner that traffic management implemented by the Authorised Body, its employees, agents and contractors will in all respects conform to and comply with the requirements of the Code; and

(c) the Authorised Body shall ensure that its Representatives comply with the terms and conditions identified above at paragraphs (a) and (b) as if they were named in those paragraphs in place of the Authorised Body.

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

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

Dated:

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

_____
Signature of Witness

_____
Name of Witness

ACKNOWLEDGMENT BY AUTHORISED BODY

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

THE COMMON SEAL OF THE)

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

_____
Chief Executive Officer

_____
Witness

9.4 Road Traffic (Vehicles) Act 2012

9.4.1 Approval for Certain Local Government Vehicles as Special Use Vehicles

Government of **Western Australia**
Department of **Transport**
Driver and Vehicle Services

ROAD TRAFFIC (VEHICLES) ACT 2012

Road Traffic (Vehicles) Regulations 2014

RTVR-2017-202046

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

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

(a) the *Local Government Act 1995*;

(b) regulations made under the *Local Government Act 1995*;

(c) a local law;

(d) any other legislation empowering a local government to authorise or appoint persons to perform functions on the behalf of the local government (including but not limited to the *Dog Act 1976*); or

(e) any combination of the above paragraphs (a) to (d);

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

CONDITIONS

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

Government of **Western Australia**
Department of **Transport**
Driver and Vehicle Services

(a) have words clearly set out on the sides of the vehicle which state the name of the local government in question together with the words "Ranger", "Ranger Services", or words to similar unambiguous effect; and

(b) where the vehicle is a station wagon or van, have the words "Ranger", "Ranger Services", or words to similar unambiguous effect clearly set out on the back of the vehicle.

This condition 7 is not intended to prevent the use of additional words on the vehicle.

Christopher Davers
Assistant Director, Strategy and Policy
Driver and Vehicle Services
Department of Transport

Dated the 5th day of September 2017

Approval for ranger vehicles to fit and use yellow flashing lights (transport.wa.gov.au)
Extracted on line on 15 March 2021

10 CEO Appointments of Authorised Persons

10.1.1 Authority to Incur Liabilities

Authorised Persons: *Powers of an authorised person assigned in legislation to:*	Level 2 Officers Manager Corporate Services Manager Governance and Community Manager Works Level 3 Officers Community Development Officer Level 4 Officers Customer Service Officer
Express Power to Authorise: *Power that enables an authorisation to be made*	*Local Government (Financial Management) Regulations 1996* Non-statutory authorisation
Express Power or Duty Delegated:	*Local Government Act 1995* *Local Government (Financial Management) Regulations 1996* Regulation 5 – CEO's duties as to financial management Regulation 11 – Payments, procedures for making etc
Authorisation:	Authority to: 1. Incur expenditure prior to the adoption of the Annual Budget. 2. Issue purchase orders 3. Use a transaction or credit card.
Conditions:	1. Incurring expenses is to be undertaken in accordance with the Shire's procedures and systems for Purchasing and Code of Conduct which includes: a) Compliance with the Council's Purchasing policy and internal procedures b) The committal value of the PO is within an appropriate and available budget allocation c) The proposed goods / services are within the scope of implementing a Council decision either specific or generally. 2. Authority is limited to the following monetary limits: a) Level 2 Officers- $50,000 excluding the purchase of freehold land and real estate b) Level 3 Officers- $5,000 within area of responsibility, excluding Capital items. c) Level 4 Officers- $500 within area of responsibility, excluding Capital items. 3. Authority to incur expenditure prior to the adoption of the annual budget is limited to Level 2 Officers and shall not exceed $5,000. Any purchases made during this period must only be for expenditure necessary for the normal operation of the business. 4. Subject to credit card management procedures. 5. Officers who have incurred the liability should not also be responsible for verifying the liability (verification is not the approval

	of the payment). [Verification of a Liability a) Goods / Services Received – A record that evidences that the goods or services have been received in accordance with the Purchase Order. b) Verification of Invoice – the charges align with the accepted quote or the contracted schedule of rates as relevant, which have been checked against the record of goods / services received. c) Verification of Transaction Card Statements – transactions accord with the card holder limits and conditions, transactions are for a proper purpose (not personal) and the goods / services obtained are within the scope of implementing a Council decision either specific or generally.]

Compliance Links:	Council Policy 1.3.1 Purchasing Policy Council Policy 1.3.5 Corporate Credit Card Policy
Record Keeping:	As per the Shire's Recordkeeping Plan and Procedures.

Version Control:

1	CEOA1 Authority to incur Liabilities (last reviewed 15 June 2022 – no change)
2	10.1.1 Authority to Incur Liabilities (amended – 21 June 2023)
3	10.1.1 Authority to Incur Liabilities (last reviewed 19 June 2024 – no change)
4	10.1.1 Authority to Incur Liabilities (last reviewed 18 June 2025 – no change)

10.1.2 Authority to Enter Property and Issue Infringement Notices

Authorised Persons: *Powers of an authorised person assigned in legislation to:*	Contract Services: Canine Control Pty Ltd (Peter Smith and Peter Ellis)
Express Power to Authorise: *Power that enables an authorisation to be made*	*Local Government Act 1995* s.3.24 Authorising persons under this Subdivision s.9.10(1) Appointment of authorised persons
Express Power or Duty Delegated:	*Local Government Act 1995* s.3.31(2) General procedure for entering property s.9.16(1) Notice, giving of to alleged offender
Authorisation:	1. If notice has been given under section 3.32, a person authorised by the local government to do so may lawfully enter the land, premises or thing without the consent of the owner or occupier unless the owner or occupier or a person authorised by the owner or occupier objects to the entry. 2. An authorised person who has reason to believe that a person has committed a prescribed offence against a regulation or local law made under this Act may, within 28 days after the alleged offence is believed to have been committed, give an infringement notice to the alleged offender.
Conditions:	1. The authorised officer is to produce the Certificate of Authorisation and Identity Card, issued on behalf of the Shire of Mingenew, whenever requested to do so by persons; 2. Any notices issued by an authorised person are to be in accordance with the relevant section of the Act; 3. The Contractor acknowledges that the Shire has relied on the qualifications and experience put forward by the nominated employee/s to adequately perform these duties and warrants that the information provided is correct. 4. This appointment is effective until either withdrawn by written notice, or the contract for services with the Shire of Mingenew is terminated and/or the Contractor's employee contract with the authorised person is terminated. Upon expiry/termination any Certificates and/or ID cards are to be returned to the local government.

Compliance Links:	Council Policy 1.3.1 Purchasing Policy Council Policy 1.3.5 Corporate Credit Card Policy
Record Keeping:	As per the Shire's Recordkeeping Plan and Procedures.

Version Control:

1	CEOA3 Authorised Person – Public Health act 2016 (last reviewed 15 June 2022 – no change)
2	10.1.2 Authority to Enter Property and Issue Infringement Notices (amended – 21 June 2023)
3	10.1.2 Authority to Enter Property and Issue Infringement Notices (last reviewed 19 June 2024 – no change)

4	10.1.2 Authority to Enter Property and Issue Infringement Notices (amended 18 June 2025 – updated contractor)

10.1.3 Administration of the Public Health Act 2016

Authorised Persons: *Powers of an authorised person assigned in legislation to:*	Environmental Health Officer Contract Services: Shire of Irwin (Elena Bull)
Express Power to Authorise: *Power that enables an authorisation to be made*	*Public Health Act 2016* s.24 Designation of Authorised Officers Health (Miscellaneous Provisions) Act 1911
Express Power or Duty Delegated:	*Public Health Act 2016* Part 8, 9, 14 and 16 of the Public Health Act 2016 Health (Miscellaneous Provisions) Act 1911 Sections 145(1), 157(2), 173, 181, 183, 184(1), 227(1), 228(1), 234(1), 257, 262(3),, 265(1), 267(1)(c), 268(a), 277(1)(b) and (3), 280(2), 349(1), 351(1),(2) and (5), 352(1) and (2), 358(2) and 375; Regulation 15D(5) of the Health (Asbestos) Regulations 1992
Authorisation:	Local government has the following functions in relation to the administration of the Public Health Act 2016: • To initiate, support and manage public health planning for its local government district (i.e. in accordance with the Act and the Local Government Act 1995). • To develop and implement policies and programmes to achieve the objects of this Act within its local government district. • To perform the functions that are conferred on local governments by or under this Act. • To administer and enforce this Act within its local government district in accordance with the objects and principles of this Act. Authorised functions are as specified within the relevant legislation.
Conditions:	1. The Authorised Officer is to produce the Certificate of Authority and/or the Identification Card, issued on behalf of the Shire of Mingenew, whenever requested to do so by a person to whom is about to receive an infringement notice. 2. Subject to s.28 [when designation as authorised officer ceases] and s.32 [certificate of authority to be returned] of the *Public Health Act 2016*. 3. Subject to Certificate, badge or identity card [s.31and Health (Asbestos) Reg.15D(6)] 4. This appointment will expire on the 30 June 2026, at which time all powers associated with the aforementioned roles are rescinded by the Shire of Mingenew.

Compliance Links:	7.1.2 Designate Authorised Officers (Delegation)
Record Keeping:	As per the Shire's Recordkeeping Plan and Procedures.

Version Control:

10. Chief Executive Officer Authorisations

1	CEOA2 Authorised Persons under the Local Government Act 1995 (last reviewed 15 June 2022 – no change)
2	10.1.3 Administration of the Public Health Act 2016 (amended – 21 June 2023)
3	10.1.3 Administration of the Public Health Act 2016 (last reviewed 19 June 2024 – no change)
4	10.1.3 Administration of the Public Health Act 2016 (amended 18 June 2025 – updated contractor)

10.1.4 Authority to take or disturb fauna / birds causing damage

Authorised Persons: *Powers of an authorised person assigned in legislation to:*	Volunteer Rangers N/A Contract Services Canine Control Pty Ltd (Peter Smith and Peter Ellis)
Express Power to Authorise: *Power that enables an authorisation to be made*	*Biodiversity Conservation Act 2016* Section 7 Lawful authority
Express Power or Duty Delegated:	*Biodiversity Conservation Act 2016* *Biodiversity Conservation Regulations 2018* Regulation 102 Managed fauna Regulation 103 Birds
Authorisation:	Authority to: 1. carry out the actions associated with the taking or disturbing of fauna/birds causing or reasonably expected to cause, economic damage (i.e. damage to property), 2. manage fauna (birds) as listed in Schedule 4 of the *Biodiversity Conservation Regulations 2018* in accordance with r.102 and 103.
Conditions:	1. The authorised officer is to produce the Certificate of Authority, issued on behalf of the Shire of Mingenew, whenever requested to do so by persons. 2. The authorised officer is, and continues to be, in possession of a valid Firearm's Licence. The Firearm's Licence is to be made available upon request by the local government at any time and a copy may be held on file for record keeping purposes. 3. Where practical to do so, the authorised officer provides the CEO with notification of his/her intention to shoot;

Compliance Links:	Nil
Record Keeping:	As per the Shire's Recordkeeping Plan and Procedures.

Version Control:

1	CEOA9 Voluntary Ranger Licence to Take Protected Fauna Causing Damage to Property
2	10.1.4 Volunteer Ranger to take or disturb fauna / birds causing damage (amended – 21 June 2023)
3	10.1.4 Volunteer Ranger to take or disturb fauna / birds causing damage (last reviewed 19 June 2024 – no change)
4	10.1.4 Volunteer Ranger to take or disturb fauna / birds causing damage (amended 19 May 2025 – updated contractors)

10.1.5 Authorised Person under the Animal Welfare Act 2002

Authorised Persons: *Powers of an authorised person assigned in legislation to:*	Contract Services: Canine Control Pty Ltd (Peter Smith and Peter Ellis)
Express Power to Authorise: *Power that enables an authorisation to be made*	*Animal Welfare Act 2002* Section 7 Lawful authority
Express Power or Duty Delegated:	*Animal Welfare Act 2002* s.65 Giving infringement notices s.67 Extension of time to pay s.68 Withdrawal of infringement notice
Authorisation:	Authority to: 1. Give an infringement notice to a person who the authorised officer reasonably suspects have committed a prescribed offence as listed in Schedule 1 of the Regulations; 2. Extend the time to pay an infringement in accordance with s.67 3. Withdraw an infringement notice and amount paid to be refunded
Conditions:	1. Infringement notices must be in the prescribed form in accordance with s.66 and Schedule 2 Form 1A of the Regulations 2. A notice to withdraw an infringement notice must be in the prescribed form in accordance with s.68 and Schedule 2 Form 1B of the Regulations 3. The Contractoracknowledges that the Shire has relied on the qualifications and experience put forward by the nominated employee/s to adequately perform these duties and warrants that the information provided is correct. 4. This appointment is effective until either withdrawn by written notice, or the contract for services with the Shire of Mingenew is terminated and/or the Contractor's employee contract with the authorised person is terminated. Upon expiry/termination any Certificates and/or ID cards are to be returned to the local government.

Compliance Links:	Nil
Record Keeping:	As per the Shire's Recordkeeping Plan and Procedures.

Version Control:

1	CEOA12 Authorised Person under the Animal Welfare Act 2002 (last reviewed 15 June 2022 – no change)
2	10.1.5 Authorised Person under the Animal Welfare Act 2002 (amended – 21 June 2023)
3	10.1.5 Authorised Person under the Animal Welfare Act 2002 (last reviewed 19 June 2024 – no change)
4	10.1.5 Authorised Person under the Animal Welfare Act 2002 (amended 18 June 2025 – updated contractors)

10.1.6 Registration Officers under the Cat Act 2011

Authorised Persons: *Powers of an authorised person assigned in legislation to:*	Customer Service Officer/s Payroll & Finance Officer Rates & Finance Officer Senior Finance Officer Community Development Officer Manager Governance & Community Manager Corporate Services Contract – Canine Control Pty Ltd (Peter Smith and Peter Ellis)
Express Power to Authorise: *Power that enables an authorisation to be made*	*Cat Act 2011* s.11A Authorised persons *Local Government Act 1995* s.9.10(2) Authorised persons
Express Power or Duty Delegated:	*Cat Act 2011* s9. Registration s10. Cancellation of registration s11. Registration numbers, certificates and tags s12 Register of cats
Authorisation:	Registration Officers are authorised to refuse, cancel or give effect to the registration of cats pursuant to the *Cat Act 2011* and *Cat Regulations 2012* as outlined.
Conditions:	1. The authorised officer is to produce the Certificate of Authorisation, issued on behalf of the Shire of Mingenew, whenever requested to do so by persons. 2. The authorised officer complies with all registration procedures in accordance with the *Cat Act 2011* and *Cat Regulations 2012*.

Compliance Links:	Nil
Record Keeping:	As per the Shire's Recordkeeping Plan and Procedures.

Version Control:

1	CEOA10 Registration Officers – Cat Act 1976 (last reviewed 21 June 2023 – no change)
2	10.1.6 Registration Officers under the Cat Act 2011 (last reviewed 19 June 2024 – no change)
3	10.1.6 Registration Officers under the Cat Act 2011 (amended 18 June 2025 – updated contractors)

10.1.7 Registration Officers under the Dog Act 1976

Authorised Persons: *Powers of an authorised person assigned in legislation to:*	Customer Service Officer/s Payroll & Finance Officer Rates & Finance Officer Senior Finance Officer Community Development Officer Manager Governance & Community Manager Corporate Services Contract – Canine Control Pty Ltd (Peter Smith and Peter Ellis)
Express Power to Authorise: *Power that enables an authorisation to be made*	*Dog Act 1976* s.11A Authorised persons
Express Power or Duty Delegated:	*Dog Act 1976* s12A s15. Registration periods and fees s16. Registration procedure s17A If no application for registration made s17 Refusal or cancellation of registration s19 Refund of fee on cancellation
Authorisation:	Registration Officers are authorised to refuse, cancel or give effect to the registration of dogs pursuant to the *Dog Act 1976* and *Dog Regulations 2013* as outlined.
Conditions:	1. The authorised officer is to produce the Certificate of Authorisation (*Form 1 – Dog Regulations 2013*), issued on behalf of the Shire of Mingenew, whenever requested to do so by persons. 2. The authorised officer complies with all registration procedures in accordance with the *Dog Act 1976* and *Dog Regulations 2013*.

Compliance Links:	Nil
Record Keeping:	As per the Shire's Recordkeeping Plan and Procedures.

Version Control:

1	CEOA10 Registration Officers – Dog Act 1976 (last reviewed 15 June 2022 – no change)
2	10.1.6 Registration Officers under the Dog Act 1976 (amended – 21 June 2023)
3	10.1.7 Registration Officers under the Dog Act 1976 (last reviewed 19 June 2024 – no change)
4	10.1.7 Registration Officers under the Dog Act 1976 (amended 18 June 2025 – updated contractor)

10.1.8 Issuing Licences and Inspecting Caravan Park Premises

Authorised Persons: *Powers of an authorised person assigned in legislation to:*	Contract Services: Shire of Irwin (Elena Bull)
Express Power to Authorise: *Power that enables an authorisation to be made*	*Caravan Parks and Camping Grounds Act 1995* s.17 Appointment of authorised persons
Express Power or Duty Delegated:	*Caravan Parks and Camping Grounds Act 1995* s.7 Application for grant or renewal of licence s.18 Powers of Entry s.20 Entry of occupied caravan or camp s.22 Legal proceedings to be taken by authorised person s.23 Infringement notices *Caravan Parks and Camping Grounds Regulations 1997* r.6 Performance of local government functions by authorised persons
Authorisation:	Authority to perform functions of an authorised persons for the purposes of the *Caravan Parks and Camping Grounds Act 1995* and *Caravan Parks and Camping Grounds Regulations 1997*.
Conditions:	1. The authorised officer is to produce the Certificate of Authorisation and Identity Card, whenever requested to do so by persons, in accordance with s.17 of the Act. 2. Provides the local government with details of any licences issued for the purposes of maintaining a register in accordance with s.14 of the Act. 3. The authorised officer complies with all registration procedures in accordance with the *Caravan Parks and Camping Grounds Act 1995* and *Caravan Parks and Camping Grounds Regulations 1997*

Compliance Links:	Nil
Record Keeping:	As per the Shire's Recordkeeping Plan and Procedures.

Version Control:

1	10.1.7 Issuing Licences and Inspecting Caravan Park Premises (NEW - 21 June 2023)
2	10.1.8 Issuing Licences and Inspecting Caravan Park Premises (last reviewed 19 June 2024 – no change)
3	10.1.8 Issuing Licences and Inspecting Caravan Park Premises (amended 18 June 2025 – updated contractor)