



Town of  
**Cambridge**

**COMMUNITY AND RESOURCES  
MEETING**

**MONDAY 16 NOVEMBER 2020**

**ATTACHMENT 1 OF 2 TO ITEM  
CR20.140**

**POLICY 066 – PARKING RESTRICTIONS**

## COUNCIL POLICY NO: 066

<b>Responsible Directorate</b>	Infrastructure and Works
<b>Responsible Section</b>	Technical Services and Works
<b>Responsible Officer</b>	Manager Technical Services and Works

### OBJECTIVE:

1. To identify the locations where parking restrictions may be implemented.
2. To provide a standard for street parking.

### SCOPE:

This policy applies to all Directorates of the Town of Cambridge.

### POLICY STATEMENT:

#### 1. IMPLEMENTATION OF RESTRICTIONS

- (a) All parking restrictions other than those in the Road Traffic Code 2000 require Council approval;
- (b) Parking restrictions shall be reviewed when:-
  - (i) Requested by the adjacent property owner or occupier in writing;
  - (ii) Considered necessary by the Town; or
  - (ii) Requested by other persons in writing.
- (c) A community survey may be carried out when a recommended parking restriction will be adjacent to the property owned or occupied by persons not making the request for reasons other than safety. The survey will extend to the owners or occupiers of the land adjacent to the proposed restriction;
- (d) Council may resolve to remove kerbside parking restrictions; and

#### 2. KERBSIDE PARKING RESTRICTIONS

##### 2.1 General

Kerbside parking restrictions may be imposed to:-

- (a) Improve safety;
- (b) Introduce parking restrictions where the road pavement is less than 5.0 metres wide for local low volume roads and 5.5 metres for district higher volume traffic roads to provide clear thoroughfare for traffic. This does include the Town's rights of way;
- (c) To meet changes of adjacent land use or road conditions;
- (d) Establish "No Stopping" restrictions at an intersection to provide motorists with improved sight distance and maneuvering room. The intersection "No Stopping" distance as follows;
  - (i) District Roads – 20 metres to the right and 15 metres to the left from the side road kerb line;
  - (ii) Local Roads next to residential properties – 15 metres to the right and 10 metres to the left from side road kerb line; and

- (iii) Local Roads next to commercial properties where there is a 15 minute parking restriction – 10 metres from the side road kerb line in accordance with the *Road Traffic Code 2000*.
- (e) The “No Stopping” distance at intersections may be amended by the Town on written request from the adjacent residents, provided it is considered safe and in accordance with (d) above;
- (f) Extend the distance of “No Stopping” in the side street to provide adequate maneuvering room past parked cars when negotiating the intersection;
- (g) Add a yellow line marked in conformity with Australian Standards and Town of Cambridge Local Law to reinforce the “No Stopping” signs where required;
- (h) Adjust the kerbside parking to facilitate through traffic by introducing a Clearway restriction during the peak AM and PM times of day on district distributor roads;
- (i) Encourage recreational events to include the cost of public transport in the cost of event entrance tickets;
- (j) Provide parking space in an area subject to consistent parking due to a seasonal event recognising the requirements of motorists, businesses/commercial/medical and residents; and
- (k) Permit kerbside parking in areas previously used for crossover or similar purpose where this purpose is no longer required.

## 2.2 Business / Commercial / Medical Areas

Kerbside parking restrictions may be imposed to:-

- (a) Adjust kerbside parking as requested by adjacent businesses/commercial/medical to assist customer parking with time limits;
- (b) Assist an adjacent business without unduly inconveniencing motorists and pedestrians;
- (c) Introduce timed kerbside parking to encourage customer parking in lieu of all day parking adjacent to business/commercial/medical properties; and
- (d) Encourage development of onsite staff parking or the use of public transport;
- (e) Introduce parking meters for kerbside parking adjacent to business/commercial/medical properties where timed parking is consistently misused.

## 2.3 Residential Precincts

Kerbside parking restrictions may be imposed to:-

- (a) Protect the residential precincts from an intrusion of businesses/commercial/medical/recreational/commuter parking on local roads;
- (b) Introduce a “No Parking on Road or Verge Residential Parking Permit Excepted” in local residential precincts adjacent to residential properties;

## 3. **VERGE PARKING**

- (a) “No Verge Parking” may be imposed when requested by the adjacent property owner/occupier and/or approved by Council;
- (b) There shall be no:-
  - (i) Verge parking where the verge is less than 2 metres in width;
  - (ii) New verge paving for verge parking in commercial areas or adjacent to businesses; and
  - (iii) Verge parking at 90 degrees if verge is less than 4.5 metres wide.

#### 4. PARKING SIGNS AND METERS

- (a) Parking signs and meters shall conform to the relevant standards;
- (b) The length of time for parking, period of the day for the restriction, the days of the week and months of the year; will be included in the written request for parking restriction and the relevant wording on the sign will be approved by Council; and
- (c) Parking meters will be introduced where commercial timed parking is shown to be impractical to enforce.

#### ~~5. PARKING PERMITS IN RESIDENTIAL AREAS~~

- ~~(d) Residential, visitor and verge parking permits apply where signs indicate or designate residential parking restrictions adjacent to the residential property;~~
- ~~(e) The occupiers of residential land where there are more than 6 residential units may, subject to the availability of on-site parking and the availability of sufficient on-street parking spaces and where single residential properties are not disadvantaged, be issued with a total of two parking bays per unit, including available on-site parking, to a maximum of 20 visitor parking permits; and~~
- ~~(f) The parking permit will be relevant for the specific property and the specific street as indicated on the permit.~~

#### ~~6.~~ 5. DISABLED PARKING (ACROD)

Disabled drivers who hold current ACROD Permits which are displayed in the vehicle or affixed to the windscreen of the vehicle so as to be clearly visible and able to be read by an Inspector from outside the vehicle, be permitted to park in street kerbside time restricted areas for double the time allowed on the appropriate relevant parking restriction signs.

#### DEFINITIONS:

Definitions are taken as those detailed in the *Local Government Act 1995* and associated legislation.

**ACROD** - Australian Council for Rehabilitation of Disabled.

**Adjacent** - refers to where the kerb and property are separated by a verge and/or footpath. It does not refer to the opposite side of the road or the neighbouring property.

#### Document Control

##### Office Use Only:

<b>Previous Policy No</b>	Policy No. 5.2.22			
<b>Statutory Legislation and Compliance</b>	<i>Local Government Act 1995; Road Traffic Code 2000; Main Roads Act 1930;</i>			
<b>Related Documents/Legislation</b>	<i>Town of Cambridge Parking Local Law 2016; Australian Standards Austroads Guidelines</i>			
<b>Date of Adoption by Council</b>	Council Meeting – 1 July 1994			
<b>Date Reviewed/Amended</b>	17 September 1996 26 August 2003 27 February 2007 24 April 2012 23 June 2020	28 October 1997 28 October 2003 22 April 2008 23 June 2015	27 October 1998 26 July 2005 27 May 2008 24 May 2016	27 June 2000 22 November 2005 25 May 2010 26 June 2018
<b>Next Review Date</b>	April 2024			



**COMMUNITY AND RESOURCES  
MEETING**

**MONDAY 16 NOVEMBER 2020**

**ATTACHMENT 2 OF 2 TO ITEM  
CR20.140**

**POLICY 110 – BULK WASTE COLLECTION SERVICE**

# WASTE REMOVAL SERVICE – BULK VERGE WASTE COLLECTION SERVICE POLICY

## COUNCIL POLICY NO: 110

<b>Responsible Directorate</b>	Infrastructure and Works
<b>Responsible Section</b>	Technical Services and Works
<b>Responsible Officer</b>	Manager Technical Services and Works

### OBJECTIVE:

To provide a comprehensive, economical and efficient property verge waste removal service for all households in the Town of Cambridge.

### SCOPE:

This policy applies to residential property owners in Town of Cambridge.

### POLICY STATEMENT:

1. The Council will provide a ~~special clean-up (verge collection)~~ pre-booked Verge Valet waste removal service to residential properties within the Town. ~~all residential properties twice per year. Generally the collections will be March/April and September/October.~~ The service includes two collections per eligible property, one junk waste and one green waste collection.
2. The waste materials ~~special cleanup service will collect~~ excepted include;
  - (a) ~~Green Waste~~ - tree pruning's; and
  - (b) ~~Junk Waste~~ - old furniture, stoves; and refrigerators etc.
3. ~~Items not accepted include will not collect~~ building materials, rubble, sand, cement, asbestos, car parts, foodstuffs or hazardous waste and E-waste.
4. Residential ratepayers ~~wishing to use~~ utilising the service are required to:-
  - ~~(a) place the junk waste on their street verge or driveway (by arrangement) for collection;~~
  - ~~(b) no earlier than 2 days prior to collection (no more than 3m<sup>2</sup> to be presented) separate green garden waste from other materials (no more than 3m<sup>2</sup> to be presented);~~
  - ~~(c) trim tree branches/pruning to a maximum length of 1.5 metres and where possible tie them into bundles;~~
  - ~~(d) place the tree branches/pruning with the cut ends towards the street. Loose materials such as lawn clippings, cuttings and leaves must be placed in cardboard boxes or paper bags; and~~
  - ~~(e) ensure the waste is kept clear of the verge sprinkler system and does not obstruct the footpath.~~
  - (a) book their junk or green waste collection service through the WMRC via the website ([www.vergevalet.com.au](http://www.vergevalet.com.au)) or the hotline;
  - (b) wait for their place out notification to be sent via text or email (landline call for those residents without a mobile phone or internet access);

- (c) place their waste at the pre-organised collection site for collection;
- (d) place waste out no earlier than 3 days prior to collection (no more than 3m<sup>3</sup> to be presented) and after their place out notification is received;
- (e) separate green garden waste from other materials (no more than 3m<sup>3</sup> to be presented);
- (f) trim tree branches to a maximum length of 1.5 metres and where possible, tie into bundles;
- (g) place the tree branches with the cut ends towards the street. Loose materials such as lawn clippings, cuttings and leaves must be placed in cardboard boxes or paper bags; and
- (h) ensure waste is kept clear of the verge sprinkler system and does not obstruct the footpath.

## DEFINITIONS:

Definitions are taken as those detailed in the *Local Government Act 1995* and associated legislation.

## WMRC – Western Metropolitan Regional Council

Document Control				
<b>Office Use Only:</b>				
<b>Previous Policy No</b>	Policy No. 5.3.3			
<b>Statutory Legislation and Compliance</b>	<i>Local Government Act 1995; Health Act 1911; Waste Avoidance and Resource Recovery Act 2007</i>			
<b>Related Documents/Legislation</b>	Town of Cambridge Health Local Law 2016 – Part 5; Town of Cambridge Waste Local Law 2016; Waste Management Plans – Guidelines for Commercial Developments			
<b>Date of Adoption by Council</b>	Council Meeting – 1 July 1994			
<b>Date Reviewed/Amended</b>	17 September 1996 26 August 2003 23 February 2010 24 May 2016	27 May 1997 28 October 2003 25 May 2010 23 June 2020	27 June 2000 22 November 2005 28 February 2012	27 August 2002 22 April 2008 26 May 2015
<b>Next Review Date</b>	April 2024			



Town of  
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**COMMUNITY AND RESOURCES  
MEETING**

**MONDAY 16 NOVEMBER 2020**

**ATTACHMENT 1 OF 2 ITEM CR20.141**

**LOCATION PLAN**

# Town of Cambridge Ruislip Street Safe Active Street Map



- Key**
- █ Ruislip Street Safe Active Street
  - █ Option 1 - Kimberley Street North to South Link
  - █ Option 2 - Northwood Street North to South Link
  - - - Pedestrian crossing
  - - - Options for eastern connection  
- Woolwich Street or Tower Street of Ruislip Street SAS

- Park
- Church
- Aged Care
- School
- Facility / Venue
- Shopping Precinct
- Medical / Hospital
- Public Transport
- Sport Facility

Visit [www.cambridge.wa.gov.au/ruislipSAS](http://www.cambridge.wa.gov.au/ruislipSAS) to view detailed concept plans.



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**COMMUNITY AND RESOURCES MEETING**

**MONDAY 16 NOVEMBER 2020**

**ATTACHMENT 2 OF 2 ITEM CR20.141**

**ON LINE SURVEY FORM**

# Ruislip Street Safe Active Street Consultation

Do you support the Ruislip Street Safe Active Street Project? (Select 1 option) Required

- Yes
- No

Complete this field if you selected 'Yes' in : *Do you support the Ruislip Street Safe Active Street Project?*

What do you believe are the main benefits of this project? Select all that apply to you. (Select 1 or more options)

Required

- Increased safety for myself and family
- Makes it easier to commute to work, convenient to access public transport and the CBD
- Slower speed limits and reduced vehicle traffic in my neighbourhood
- Greener and more vibrant streets
- Encourages an active, healthier lifestyle as an alternative to driving
- Increased connection to local amenities and attractions
- Other

Other

Complete this field if you selected 'No' in : *Do you support the Ruislip Street Safe Active Street Project?*

Please explain why you do not support this project Required

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Complete this field if you selected 'Yes' in : *Do you support the Ruislip Street Safe Active Street Project?*

**Please indicate your preferred north to south link option: (Select 1 option)** Required

View the map on the [Ruislip Street Safe Active Street webpage](#).

- Option 1 - Kimberley Street
- Option 2 - Northwood Street
- Neither

Complete this field if you selected 'Yes' in : *Do you support the Ruislip Street Safe Active Street Project?*

**Please indicate your preferred street to be used for the eastern connection (to Leederville public transport): (Select 1 option)** Required

- Woolwich Street
- Tower Street
- Both
- Neither
- Other

**Other**

**Do you support a pedestrian crossing connecting users to the West Leederville Train Station across Railway Parade? (Select 1 option)** Required

- Yes
- No

Complete this field if you selected 'No' in : *Do you support a pedestrian crossing connecting users to the West Leederville Train Station across Railway Parade?*

**Please explain the reason you do not support the pedestrian crossings** Required

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Please provide any further comments on the project (optional)

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Please upload any images or maps to support your comments (optional)



Please attach all files to the end of this form before submitting it.

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## Your details

**First name** Required

First name

**Surname** Required

Surname

**Age (Select 1 option)**

- Under 18
- 18-24
- 25-34
- 35-44
- 45-54
- 55-64
- 65 and over

**Gender**

**Email address** Required

Email address

**Street address** Required

Contact address

**Suburb** Required

Suburb

**Post code** Required

Post code

**What is your interest in this project? (Select 1 or more options)** Required

Select all that apply.

- I live on or near a street on the proposed route
- My children or I attend school nearby
- I work nearby
- Potential user of route
- I commute to the city
- I use the route to access public transport
- I am a pedestrian
- I drive along or near the proposed route
- I am a cyclist
- I am a business owner along or near the proposed route
- Other

**Other**

*End of form*

*Don't forget to attach all files before submitting this form*



Town of  
**Cambridge**

**COMMUNITY AND RESOURCES  
COMMITTEE MEETING**




**MONDAY 16 NOVEMBER 2020**

**ATTACHMENT TO ITEM CR20.142**

**FIRE PRONE ZONES IN AND AROUND WGC**

CR20.142 - ATTACHMENT 1 - WEMBLEY GOLF COURSE BUSHFIRE PRONE AREAS



 <p>Town of Cambridge</p>	<p>The Town of Cambridge does not warrant the accuracy of information in this publication and any person using or relying upon such information does so on the basis that the Town of Cambridge shall bear no responsibility or liability whatsoever for any errors, faults, defects or omissions in the information.</p>	<p>Legend</p> <p> Bushfire Prone Areas</p>	<p>Friday, 13 November 2020</p> <p>1:10000</p>	
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Town of  
**Cambridge**

**COMMUNITY AND RESOURCES  
COMMITTEE MEETING**

**MONDAY 16 NOVEMBER 2020**

**ATTACHMENT TO ITEM CR20.145**

**PAYMENT OF ACCOUNTS – OCTOBER 2020**

<b>Payments Issued Listing Week Ending 30 October 2020</b>					
<b>Payment Number</b>	<b>Payment Date</b>	<b>Payee Code</b>	<b>Name/Reference</b>	<b>Description</b>	<b>Payment Amount</b>
058786	30/10/2020	999999	Gold Style Homes Pty Ltd	Bond refund - 15 Berkeley Crescent Floreat	\$2,500.00
058787	30/10/2020	999999	Gold Style Homes Pty Ltd	Bond refund - 15 Berkeley Crescent Floreat	\$3,000.00
058788	30/10/2020	999999	Harry George t/a Sketch One	BSL refund - BP0332-2020	\$110.00
058789	30/10/2020	999999	Harry George t/a Sketch One	BSL refund - BP0332-2020	\$68.98
058790	30/10/2020	999999	Harry George t/a Sketch One	BSL refund - BP0332-2020	\$83.10
058791			Cancelled Cheque		
058792	30/10/2020	999999	Natasha King	Remiburse AHRI membership fees	\$396.00
058793	30/10/2020	999998	Susette J Pow	Rates Refund	\$397.53
058794	30/10/2020	999998	Neweagle Nominees & Arripis Point Invest	Rates Refund	\$1,231.04
058795	30/10/2020	999997	P R M Quinn	Bond Interest Refund	\$29.19
058796	30/10/2020	101737	Sensis Pty Ltd	Digital advertising - TBC	\$26.66
058797	30/10/2020	100718	Synergy	Utility charges Aug - Oct 2020 various locations	\$32,768.08
			Void Cheque		
058799	30/10/2020	100074	Telstra	Service & Equipment Charges - City Beach Sewer Pump	\$19.25
058800	30/10/2020	100081	Town Of Cambridge	Get to Know your Neighbour vouchers x 8	\$800.00
058801	30/10/2020	100308	Water Corporation	Utility charges Sept- Oct 2020 various locations	\$2,498.06
058802	30/10/2020	100466	Wembley Golf Course	Petty Cash Reimbursement - WGC	\$267.85
058803	30/10/2020	100081	Town Of Cambridge	Petty Cash Reimbursement - Admin	\$618.00
058804	30/10/2020	999999	Mrs Christiany Christiany	Refund animal registration fee	\$150.00
				Sub Total	\$44,963.74

<b>Payments Issued Listing Week Ending 22 October 2020</b>					
<b>Payment Number</b>	<b>Payment Date</b>	<b>Payee Code</b>	<b>Name/Reference</b>	<b>Description</b>	<b>Payment Amount</b>
058761	22/10/2020	999999	Baymist Pty Ltd t/a Independent Contruction	Bond refund - 25 Tate Street West Leederville	\$1,500.00
058762	22/10/2020	999999	Beverley Helen Arthur	Bond refund - 234 Selby Street Wembley	\$300.00
058763	22/10/2020	999999	Carrisa Pty Ltd t/a Domination Homes	Bond refund - 13 Pearson Place Floreat	\$3,000.00
058764	22/10/2020	999999	Erban Developments	Bond refund - 56 Newry Street Floreat	\$1,500.00
058765	22/10/2020	999999	Floreat Surf Life Saving Club	Refund facilities booking fee	\$54.00
058766	22/10/2020	999999	B F Kinneen	Crossover contribution refund	\$616.05
058767	22/10/2020	999999	C D Milburn	Crossover contribution refund	\$44.00
058768	22/10/2020	999999	C J Tien	Bond refund - 38 Talgarth Way City Beach	\$5,000.00
058769	22/10/2020	999999	Jason C North	Refund animal registration fee	\$150.00
058770	22/10/2020	999999	K Sun	Bond refund - 409 Vincent Street West Leederville	\$1,000.00
058771	22/10/2020	999999	P J Ogonowski	Bond refund - 11 Dampier Avenue City Beach	\$3,000.00
058772	22/10/2020	999999	P J Ogonowski	Crossover contribution refund	\$721.50
058773	22/10/2020	999999	Naomi R Wallace	Refund animal registration fee	\$77.50
058774	22/10/2020	999999	S A Clayton	Bond refund - 68 Nanson Street Wembley	\$700.00
058775	22/10/2020	999999	RBD Building & Maintenance	Bond refund - 103 Tower Street West Leederville	\$700.00
058776	22/10/2020	999999	Residential Building WA Pty Ltd	Bond refund - 4 Talgarth Way City Beach	\$1,500.00
058777	22/10/2020	999999	Sean Burgess	CCTV Partnership Subsidy Program	\$500.00
058778	22/10/2020	999999	Uros Cikir	Bond refund - 7 Hortus Way Jolimont	\$2,000.00
058779	22/10/2020	100148	City of Nedlands	WESROC Contribution 1st Qtr	\$1,904.72
058780	22/10/2020	100718	Synergy	Utility charges Aug - Oct 2020 various locations	\$4,324.03
058781	22/10/2020	100074	Telstra	Telephone charges Oct - Nov 2020 various numbers	\$3,628.82
058782	22/10/2020	100172	The West Australian	Supply of newspapers - Admin	\$292.79
058783	22/10/2020	100081	Town Of Cambridge	Farewell Morning Tea - WGC	\$130.00
058784	22/10/2020	100308	Water Corporation	Utility charges Aug - Oct 2020 various locations	\$369.74
058785	22/10/2020	100081	Town Of Cambridge	Petty Cash reimbursement - Depot	\$189.15
				Sub Total	\$33,202.30

**Payments Issued Listing Week Ending 16 October 2020**

<b>Payment Number</b>	<b>Payment Date</b>	<b>Payee Code</b>	<b>Name/Reference</b>	<b>Description</b>	<b>Payment Amount</b>
058745	16/10/2020	999999	Eugene George Bowden	Reimburse medical expenses due to fall - Lake Monger	\$308.00
058746	16/10/2020	999999	Michael Stoksik	CCTV Partnership Subsidy Program	\$500.00
058747	16/10/2020	999999	A A Grinbergs	Crossover contribution refund	\$350.76
058748	16/10/2020	999999	Hayden P Brooke	Refund animal registration fee	\$150.00
058749	16/10/2020	999999	Henry C Hickling	Refund animal registration fee	\$150.00
058750	16/10/2020	999999	S L McApline	Bond refund - 38 Branksome Gardens City Beach	\$500.00
058751	16/10/2020	999999	Robyn G Glaser	Refund animal registration fee	\$150.00
058752	16/10/2020	999997	C J Tan	Bond Interest Refund	\$308.96
058753	16/10/2020	999997	Pendlebury Constructions	Bond Interest Refund	\$48.61
058754	16/10/2020	100002	Alinta	Utility charges Jul - Oct 2020 various locations	\$239.55
058755	16/10/2020	100128	Bold Park Aquatic Centre	Petty Cash Reimbursement - Bold Park Aquatic	\$355.75
058756	16/10/2020	105336	Perth Energy Pty Ltd	Utility charges Jul - Oct 2020 - City Beach	\$329.22
058757	16/10/2020	102710	Shire of Augusta-Margaret River	LSL liability payout	\$3,949.07
058758	16/10/2020	100718	Synergy	Utility charges Aug - Sept 2020 various locations	\$63,426.56
058759	16/10/2020	100074	Telstra	Telephone charges various numbers - Aug - Oct 2020	\$3,457.31
058760	16/10/2020	100308	Water Corporation	Utility charges Jul - Oct 2020 various locations	\$105.81
				Sub Total	\$74,329.60

<b>Payments Issued Listing Week Ending 9 October 2020</b>					
<b>Payment Number</b>	<b>Payment Date</b>	<b>Payee Code</b>	<b>Name/Reference</b>	<b>Description</b>	<b>Payment Amount</b>
058726	9/10/2020	999999	Lenore Howard	Reimbursement re: Heritage Grant Program	\$1,268.85
058727	9/10/2020	999999	Katherine A Nixon	Refund animal registration fee	\$150.00
058728	9/10/2020	999999	Webb & Brown-Neaves Pty Ltd	Refund park bond	\$1,000.00
058729	9/10/2020	999999	Wei Hong Chan	CCTV Partnership Subsidy Program	\$500.00
058730	9/10/2020	999999	Westlake Corporation Pty Ltd t/a Trendsetter	Bond refund - 81 McCourt Street West Leederville	\$5,000.00
058731	9/10/2020	999998	Commissioner of State Revenue	Refund of rates	\$198.16
058732	9/10/2020	999998	Antony Piccinini	Refund of rates	\$3,233.75
058733	9/10/2020	999998	Antony Piccinini	Refund of rates	\$3,259.94
058734	9/10/2020	999997	Beverley Helen Arthur	Bond Interest Refund	\$64.33
058735	9/10/2020	999997	Dolphin Pools Pty Ltd	Bond Interest Refund	\$40.73
058736	9/10/2020	999997	R T Garvey	Bond Interest Refund	\$39.37
058737	9/10/2020	100718	Synergy	Utility charges Jul - Sep 2020 various locations	\$12,531.55
058738			Void Cheque		
058739	9/10/2020	100074	Telstra	Telephone charges Oct 2020 various locations	\$203.89
058740			Cheque Cancelled		
058741			Cheque Cancelled		
058742	9/10/2020	100081	Town Of Cambridge	Petty Cash Reimbursement - Admin	\$517.65
058743	9/10/2020	100308	Water Corporation	Utility charges Jul - Sep 2020 various locations	\$1,409.06
058744	9/10/2020	105752	Jacqueline Pickerill	Reimbursement for purchase of antivirus software - Library	73.95
				Sub Total	\$29,491.23

## Payments Issued Listing Week Ending 2 October 2020

<b>Payment Number</b>	<b>Payment Date</b>	<b>Payee Code</b>	<b>Name/Reference</b>	<b>Description</b>	<b>Payment Amount</b>
058711	2/10/2020	999999	Coast Homes (WA) Pty Ltd	Bond refund - 16 Jukes Way Wembley	\$2,500.00
058712	2/10/2020	999999	W H Chan	Crossover contribution refund	\$710.40
058713	2/10/2020	999998	John P Cullinane	Refund of rates	\$36.42
058714	2/10/2020	999997	Lawley Constructions	Bond Interest Refund	\$41.37
058715	2/10/2020	999997	Quality Dolphin Pools	Bond Interest Refund	\$58.63
058716	2/10/2020	100267	Australian Communications and Media Authority	Licence renewal - Bold Park Aquatic	\$45.00
058717	2/10/2020	101737	Sensis Pty Ltd	Digital advertising - TBC	\$26.66
058718	2/10/2020	100718	Synergy	Utility charges Jul - Sep 2020 various locations	\$16,798.58
058719			Void Cheque		
058720	2/10/2020	100081	Town Of Cambridge	Staff farewell morning tea - Library	\$130.00
058721	2/10/2020	100308	Water Corporation	Utility charges Jul - Sep 2020 various locations	\$1,296.91
058722	2/10/2020	100081	Town Of Cambridge	Petty cash reimbursement - Library	\$211.85
058723	2/10/2020	100081	Town Of Cambridge	Petty cash reimbursement - WGC	\$292.30
058724	2/10/2020	400077	Synergy	Utility charges Jul - Sep 2020 - WGC	\$2,019.69
058725	2/10/2020	400078	Water Corporation	Utility charges Jul - Sep 2020 - WGC	\$4,879.94
				Sub Total	\$29,047.75

<b>Payments Issued Listing Week Ending 31 October 2020</b>					
<b>Payment Number</b>	<b>Payment Date</b>	<b>Payee Code</b>	<b>Name/Reference</b>	<b>Description</b>	<b>Payment Amount</b>
E044172	22/10/2020	400003	Amer Sports Australia Pty Ltd	Stock purchase - WGC	\$2,398.01
E044173	22/10/2020	400004	American Golf Supplies	Stock purchase - WGC	\$18,425.04
E044174	22/10/2020	400005	Andrew Graham Thomas	Golf lesson/tuition - WGC	\$8,887.44
E044175	22/10/2020	400012	Brad Parker	Golf lesson/tuition - WGC	\$7,426.81
E044176	22/10/2020	400013	Callaway Golf South Pacific Pty Ltd	Stock purchase - WGC	\$7,114.55
E044177	22/10/2020	400014	Challenge Batteries WA	Supply battery - WGC	\$92.40
E044178	22/10/2020	400015	Champion Sports Pty Ltd	Stock purchase - WGC	\$567.60
E044179	22/10/2020	400020	Cutter and Buck	Stock purchase - WGC	\$2,845.04
E044180	22/10/2020	400027	Dynacast Golf Factory Pty Ltd	Stock purchase - WGC	\$1,980.00
E044181	22/10/2020	400031	Golf Imports	Stock purchase - WGC	\$190.28
E044182	22/10/2020	400032	Heiss Products	Stock purchase - WGC	\$714.76
E044183	22/10/2020	400035	Luxottica Australia	Stock purchase - WGC	\$59.93
E044184	22/10/2020	400036	Mark Patriarca	Golf lesson/tuition - WGC	\$4,007.55
E044185	22/10/2020	400038	Mizuno Corporation Australia Pty Ltd	Stock purchase - WGC	\$4,063.55
E044186	22/10/2020	400040	Paul A Criddle	Golf lesson/tuition - WGC	\$5,485.94
E044187	22/10/2020	400042	Peter Wright Golf Agencies Pty Ltd	Stock purchase - WGC	\$1,864.74
E044188	22/10/2020	400044	Redback Sports	Stock purchase - WGC	\$1,414.03
E044189	22/10/2020	400058	Simon Smith	Golf lesson/tuition - WGC	\$2,660.69
E044190	22/10/2020	400060	Srixon Sports Australasia	Stock purchase - WGC	\$5,162.78
E044191	22/10/2020	400061	Taylor Made Golf Australia Pty Ltd	Stock purchase - WGC	\$9,904.08
E044192	22/10/2020	400062	Toro Australia Group Sales Pty Ltd	Consumables - WGC	\$99.25
E044193	22/10/2020	400064	Vast Print Management	Artwork/Banners - WGC	\$6,539.50
E044194	22/10/2020	400066	Wattleup Tractors	Hardware items - WGC	\$37.10
E044195	22/10/2020	400068	Stihl Shop - CSP Group	Hardware items - WGC	\$80.45
E044196	22/10/2020	400071	Armaguard	Bank collection services - WGC	\$662.65
E044197	22/10/2020	400074	Winc Australia Pty Ltd	Stationery - WGC	\$165.31
E044198	22/10/2020	400075	Total Eden	Hardware items - WGC	\$666.99
E044199	22/10/2020	400081	Thyssenkrupp Elevator Australia Pty Ltd	Elevator service - WGC	\$837.46
E044200	22/10/2020	400083	WellStrategic	Website IT services - WGC	\$3,300.00
E044201	22/10/2020	400092	Acushnet Australia Pty Ltd	Stock purchase - WGC	\$11,795.97
E044202	22/10/2020	400097	Golf Chariots (Aust) Pty Ltd	Golf cart rental October 2020 - WGC	\$880.00
E044203	22/10/2020	400100	Walkinshaw Sports Pty Ltd	Stock purchase - WGC	\$74.25
E044204	22/10/2020	400107	GPC Asia Pacific Pty Ltd T/As Covs	Hardware items - WGC	\$278.82
E044205	22/10/2020	400112	Puma Australia Pty Ltd	Stock purchase - WGC	\$1,271.57
E044206	22/10/2020	400130	St John Ambulance Australia	First aid training - WGC	\$1,330.00

E044207	22/10/2020	400135	Dorrington Plumbing & Gas	Plumbing/toilet repairs - WGC	\$269.80
E044208	22/10/2020	400139	Avenel of Melbourne Unit Trust	Stock purchase - WGC	\$551.54
E044209	22/10/2020	100035	Boya Equipment	Purchase of new Tractor - Depot	\$74,690.00
E044210	22/10/2020	100044	Bunnings Building Supplies Pty Ltd	Hardware items - Depot	\$188.10
E044211	22/10/2020	100062	City Of Perth	BA/DA archive retrievals Sept 2020	\$367.32
E044212	22/10/2020	100078	Total Eden Pty Ltd	Installation of verge works - Evandale St Floreat	\$4,840.94
E044213	22/10/2020	100089	Western Australian Local Government Associ	Staff training - Parks	\$240.00
E044214	22/10/2020	100107	Stevlec Electrical Pty Ltd	Electrical/lighting repairs - WCC / Perry Lakes	\$3,083.74
E044215	22/10/2020	100122	Environmental Health Australia (EHA)	Staff training - Regulatory Services/Compliance	\$319.00
E044216	22/10/2020	100129	Statewide Cleaning Supplies Pty Ltd	Supply hand soap dispensers - City Beach Change rooms	\$695.43
E044217	22/10/2020	100135	Australian Institute of Management	Staff training - Sustainability	\$1,032.00
E044218	22/10/2020	100169	Quantum 2000	Supply cheques - WGC	\$1,270.50
E044219	22/10/2020	100193	Pro Turf Services Pty Ltd	Turf maintenance - Depot	\$346.50
E044220	22/10/2020	100197	Westbooks	Stock purchase - Library	\$946.50
E044221	22/10/2020	100212	Asphaltech Pty Ltd	Supply asphalt - Depot	\$835.99
E044222	22/10/2020	100312	Mcleods Barristers & Solicitors	Professional services re Legal advice - SAT appeals	\$12,514.17
E044223	22/10/2020	100314	Winc Australia Pty Limited	Stationery -Admin / Senior Services	\$1,075.24
E044224	22/10/2020	100320	A & M D'Angelo	Machinery hire - Depot	\$13,627.90
E044225	22/10/2020	100372	Perth Frozen Foods P/L	Provisions - Bold Park Café'	\$323.90
E044226	22/10/2020	100391	The Workers Shop	Supply protective clothing items outside workers	\$52.00
E044227	22/10/2020	100408	Seaview Rentals	Supply fish - WCC	\$103.00
E044228	22/10/2020	100409	Western Irrigation	SIM card bore pumps Sept 2020 - Parks	\$2,285.80
E044229	22/10/2020	100412	Budget Rent A Car	Hire vehicle during Town vehicle repairs - Rangers	\$1,316.51
E044230	22/10/2020	100413	James Bennett Pty Ltd	Stock purchase - Library	\$37.61
E044231	22/10/2020	100474	Techsand	Construct concrete footpaths - Challenger Rod / Yaltara Rd	\$28,977.82
E044232	22/10/2020	100505	Lifeworks Com Pty Ltd	EAP quarterly fees - People & Culture	\$1,952.50
E044233	22/10/2020	100714	Konica Minolta Business Solutions Australia P	Photocopier maintenance/copies various locations Oct 2020	\$3,927.53
E044234	22/10/2020	100756	Classic Tree Services	Prune/remove trees various locations Sept 2020	\$72,469.09
E044235	22/10/2020	100760	Coca-Cola Amatil (Aust) Pty Ltd	Beverages for resale - Bold Park Aquatic	\$798.84
E044236	22/10/2020	100783	Leo Heaney Pty Ltd	Tree watering maintenance - Sept 2020	\$9,944.00
E044237	22/10/2020	100796	Mindarie Regional Council	Tipping fees Tamala Park	\$22,096.78
E044238	22/10/2020	100832	Iron Mountain Australia Group Pty Ltd - Recal	Offsite records storage	\$96.50
E044239	22/10/2020	100884	Suez Recycling & Recovery (Perth) Pty Ltd	Contract waste collection services various locations	\$3,926.66
E044240	22/10/2020	100887	Kevrek (Australia) Pty Ltd	Minor equipment repair/maintenance - Depot	\$798.27
E044241	22/10/2020	100952	Western Metropolitan Regional Council Office	Tipping fees - Depot	\$305.01
E044242	22/10/2020	101440	Dormakaba Australia Pty Ltd	Maintenance/repairs automatic doors various locations Sept 2020	\$2,533.14
E044243	22/10/2020	101602	Subaru Osborne Park	TOC vehicle service - Planning	\$306.15
E044244	22/10/2020	101629	Bannister Downs Dairy Company	Provisions - Admin	\$96.00
E044245	22/10/2020	101669	Volunteering WA	Annual membership - Senior Services	\$290.00

E044246	22/10/2020	101853	Amcom Telecommunications	IT Communications	\$8,334.70
E044247	22/10/2020	101861	Western Suburbs Building and Landscape Su	Turf supplies/maintenance - Depot	\$453.75
E044248	22/10/2020	101922	Steves Kerb Repairs	Kerb repair- City Beach	\$726.00
E044249	22/10/2020	102067	Wembley Athletic Club Inc	Turf maintenance 2020/2021 as per lease	\$25,000.00
E044250	22/10/2020	102683	AE Hoskins Building Services	Building repairs/maintenance various locations Aug - Oct 2020	\$84,924.59
E044251	22/10/2020	102684	Prosegur Australia Pty Limited	Cash collection services parking ticket machines Sept 2020 - Rang	\$4,056.63
E044252	22/10/2020	103070	Natural Area Consulting Management Service	Weed control - Challenger Park / Chipping Park	\$7,687.79
E044253	22/10/2020	103130	Dorrington Plumbing & Gas	Plumbing/toilet repairs Sept-Oct 2020 various locations	\$935.00
E044254	22/10/2020	103369	OpenCities Pty Ltd	Software Site Builder Module	\$11,000.00
E044255	22/10/2020	103398	Bridgestone Australia Ltd	Bobcat tyre repair - Depot	\$95.70
E044256	22/10/2020	103986	Liquor Traders Australia	Beverages for Council meetings	\$419.80
E044257	22/10/2020	104006	Massey's Herd Milk Supply	Provisions - Depot	\$185.60
E044258	22/10/2020	104345	Road Specialist Australia Pty Ltd	Removal of waste oil - Depot	\$1,711.60
E044259	22/10/2020	104414	Prudential Investment Services Corp Pty Ltd	Investment services - Sept 2020	\$1,925.00
E044260	22/10/2020	104492	Marketforce Pty Ltd	Marketforce advertising Sept 2020	\$1,271.49
E044261	22/10/2020	104612	Aveling Training	Staff on-line training	\$429.00
E044262	22/10/2020	104772	Quayclean Australia Pty Ltd	Contract cleaning services various locations Sept 2020	\$12,951.43
E044263	22/10/2020	104840	West Coast Shade Pty Ltd	Installation of summer shade sails Town wide Parks	\$7,667.00
E044264	22/10/2020	104865	Ixom Operations Pty Ltd	Service fee chlorine cylinder - Bold Park Aquatic	\$168.63
E044265	22/10/2020	104953	Gilmour & Jooste Electrical	Electrical upgrade - WGC	\$8,359.03
E044266	22/10/2020	104961	Unicard Systems Pty Limited	Supply RFID key tags - Bold Park Aquatic	\$2,788.50
E044267	22/10/2020	105043	Colleagues Nagels Pty Ltd	Supply printer infringement rolls - Ranger	\$2,593.95
E044268	22/10/2020	105114	Corsign WA	Supply of various signs	\$2,181.85
E044269	22/10/2020	105195	Aqueo Import and Distribution Pty Ltd	Accessories for resale - Bold Park Aquatic	\$1,465.86
E044270	22/10/2020	105240	Chindarsi Architects	Design Review Panel services	\$770.00
E044271	22/10/2020	105245	Hocking Planning and Architecture Pty Ltd T/A	Consultancy services re: Wembley Primary School	\$220.00
E044272	22/10/2020	105246	Paxon Group	Professional services re Superannuation matters	\$313.50
E044273	22/10/2020	105286	Redox Pty Ltd	Pool chemicals - Bold Park Aquatic	\$1,293.60
E044274	22/10/2020	105294	Threat Protect	Mobile security patrol services various locations Sep - Oct 2020	\$974.74
E044275	22/10/2020	105303	Brownes Foods Operations Pty Limited	Café provisions - Bold Park Aquatic Café	\$104.02
E044276	22/10/2020	105309	Minbari Pty Ltd T/As Wembley Autocare	TOC vehicle service - Parks	\$658.00
E044277	22/10/2020	105311	Cakes West Pty Ltd T/As Danish Patisserie	Café provisions - Bold Park Aquatic Café	\$349.36
E044278	22/10/2020	105358	Workwear Group Pty Ltd	Supply corporate uniforms Admin / Rangers	\$906.70
E044279	22/10/2020	105359	Veris Australia Pty Ltd	Deposit plan - Former Freeway On-Ramp - Lake Monger	\$5,995.00
E044280	22/10/2020	105411	Flick Anticimex Pty Ltd	Pest control Sept 2020 various locations	\$3,327.67
E044281	22/10/2020	105421	Philip Griffiths Architects	Design Review Panel services	\$880.00
E044282	22/10/2020	105434	ALSCO Pty Limited	Laundry services - Bold Park Aquatic	\$206.49
E044283	22/10/2020	105506	Distributors Perth (the)	Consumables - Bold Park Aquatic	\$213.05
E044284	22/10/2020	105522	Australian Airconditioning Services Pty Ltd	Service/maintenance heat pump solar heating - Bold Park Aquatic	\$3,077.91

E044285	22/10/2020	105555	Thyssenkrupp Elevator Australia Pty Limited	Elevator service agreement fee Jul 20 -Sept 20 Library	\$1,852.06
E044286	22/10/2020	105557	Managed IT Pty Ltd	Computer software - IT	\$55.00
E044287	22/10/2020	105558	Quality Oil Filters	Cleaning deep fryer equipment - Bold Park Aquatic	\$152.50
E044288	22/10/2020	105569	Galaxy 42 Pty Ltd	Consultancy services system support	\$10,120.00
E044289	22/10/2020	105581	System Maintenance - Ballantyne Commercial	Sewer repairs/maintenance City Beach Commercial Precinct	\$4,818.46
E044290	22/10/2020	105585	Boulevard IGA (The)	Provisions - Bold Park Aquatic Café'	\$43.86
E044291	22/10/2020	105627	Advanced Traffic Management WA Pty Ltd	Traffic management control - Chandler Avenue	\$886.64
E044292	22/10/2020	105667	Landscape Elements Pty Ltd	Turf maintenance Sept 2020 various locations	\$18,552.60
E044293	22/10/2020	105692	RTSM Consulting	Professional services re Road Safety Audit	\$396.00
E044294	22/10/2020	105719	Hames Sharley Architects	Professional services re Urban Design Study -Cambridge St Medic	\$638.00
E044295	22/10/2020	105733	Hudson Global Resources (Aust) Pty Ltd	Temporary labour hire - Planning	\$1,638.43
E044296	22/10/2020	105761	Gordana Nestic-Simic	Design Review Panel services	\$700.00
E044297	22/10/2020	105793	Kyocera Document Solutions Australia Pty Ltd	Photocopier maintenance/copies Sept 2020 -Admin	\$1,495.65
E044298	22/10/2020	105818	Holton Connor Architects & Planners	Consultancy services - Alderbury Reserve Sports facilities	\$21,907.60
E044299	22/10/2020	105869	Techworks Plumbing Pty Ltd	Back flow testing - WGC	\$231.00
E044300	22/10/2020	105896	The Trustee for P&T Rossi Family Trust	Construct limestone walls & planter boxes - Depot	\$19,725.00
E044301	22/10/2020	105908	Microanalysis Australia Pty Ltd	Undertake test re Australian Standard Leaching Procedures	\$2,508.00
E044302	22/10/2020	105913	The Trustee for TBS Events & Productions Tu	Reinstate regular seasonal lighting - Quarry	\$3,217.50
E044303	22/10/2020	105924	Robert John Fredericks	Councillors Allowance 16-31 Oct 2020	\$1,139.84
E044304	22/10/2020	105927	The Trustee for John Carney Trust T/As Wern	Bike month grant gift vouchers	\$520.00
E044305	29/10/2020	100108	Dept Commissioner of Taxation	PAYG (12/10/2020 to 25/10/2020)	\$149,973.00
				Sub Total	\$830,010.40

<b>Payments Issued Listing Week Ending 18 October 2020</b>					
<b>Payment Number</b>	<b>Payment Date</b>	<b>Payee Code</b>	<b>Name/Reference</b>	<b>Description</b>	<b>Payment Amount</b>
E044079	13/10/2020	105024	The Trustee for EQUIPSUPER	Monthly deductions - Sept 2020	\$1,779.33
E044080	14/10/2020	105844	VHM Solutions Pty Ltd	Building maintenance/repairs City Beach Life Guard Tower	\$24,343.00
E044081	15/10/2020	100108	Deputy Commissioner of Taxation	PAYG period ending 11/10/2020	\$183,470.00
E044082	16/10/2020	100001	Able Westchem	Cleaning products - Bold Park Aquatic	\$245.52
E044083	16/10/2020	100028	Benara Nurseries	Various seeds/plants/trees - Parks	\$4,934.45
E044084	16/10/2020	100031	BOC Gases Australia Ltd	Supply oxygen cylinder - Depot	\$29.08
E044085	16/10/2020	100044	Bunnings Building Supplies Pty Ltd	Hardware items - Admin	\$25.64
E044086	16/10/2020	100120	Enzed Welshpool	Repairs/service to Road Sweeper - Depot	\$573.48
E044087	16/10/2020	100179	Floreat Forum Newsagency	Supply papers and magazines Sept 2020 - Library	\$125.63
E044088	16/10/2020	100241	Department of Fire and Emergency Services	2020/21 Roll 3 Council Owned Buildings - DFES Levy	\$94,119.69
E044089	16/10/2020	100243	Total Packaging	Supply doggy dumpage disposal units - Depot	\$1,372.80
E044090	16/10/2020	100312	Mcleods Barristers & Solicitors	Professional services re: legal advice various matters	\$8,906.66
E044091	16/10/2020	100314	Winc Australia Pty Limited	Stationery - Admin	\$22.41
E044092	16/10/2020	100319	Landgate - Midland	Gross Rental Values - Schedule G2020/20	\$203.34
E044093	16/10/2020	100391	The Workers Shop	Supply protective clothing items outside workers	\$350.00
E044094	16/10/2020	100413	James Bennett Pty Ltd	Stock purchase - Library	\$107.98
E044095	16/10/2020	100423	St John Ambulance Australia	First aid training - Community Development	\$1,064.00
E044096	16/10/2020	100474	Techsand	Construct/repairs footpath - Boscome Ave	\$6,522.12
E044097	16/10/2020	100489	Turfmaster Facility Management	Turf maintenance - various locations	\$19,019.00
E044098	16/10/2020	100756	Classic Tree Services	Prune/remove trees/branches various locations Sept 2020	\$17,902.83
E044099	16/10/2020	100760	Coca-Cola Amatil (Aust) Pty Ltd	Beverages for resale - Bold Park Aquatic	\$18.98
E044100	16/10/2020	100796	Mindarie Regional Council	Tipping fees Tamala Park	\$21,722.46
E044101	16/10/2020	100918	Zipform Pty Ltd	2020/21 Rates SMS reminder - Rates	\$272.71
E044102	16/10/2020	100956	Flexi Staff Pty Ltd	Temporary labour hire outside workers	\$750.18
E044103	16/10/2020	101469	All-Type Engraving	Stationery - Admin	\$132.00
E044104	16/10/2020	101578	Lock Stock & Farrell Locksmith	Supply/deliver keys/locks - Admin / WGC	\$515.00
E044105	16/10/2020	101629	Bannister Downs Dairy Company	Provisions - Admin	\$57.60
E044106	16/10/2020	101639	Docushred	Supply security bins - Admin / Governance / Senior Services	\$119.90
E044107	16/10/2020	101759	Stihl Shop - CSP Group	Minor equipment repair - Depot	\$22.00
E044108	16/10/2020	101951	Elliotts Irrigation Pty Ltd	Iron filter repair - Parkside Walk Jolimont	\$286.00
E044109	16/10/2020	102135	Rohanna Pty Ltd atf The Skipper Unit Trust	TOC vehicle service/repair - Bold Park Aquatic / WGC	\$1,024.25
E044110	16/10/2020	102186	J & K Hopkins	Coat stands - Admin	\$756.00
E044111	16/10/2020	102556	Advam Pty Ltd	Credit card transaction fees parking ticket machines Sep 2020 - Rar	\$3,172.40
E044112	16/10/2020	102683	AE Hoskins Building Services	Building maintenance/repairs Sept 2020 -various locations	\$8,893.86
E044113	16/10/2020	102853	Department of Transport - Perth	Vehicle search Sept 2020 - Rangers	\$476.00
E044114	16/10/2020	102991	Holcim (Australia) Pty Ltd	Supply concrete - Depot	\$374.00

E044115	16/10/2020	103070	Natural Area Consulting Management Services	Weed control - Challenger Park	\$2,527.14
E044116	16/10/2020	103321	Squire Patton Boggs (AU)	Professional services re: legal advice	\$6,590.43
E044117	16/10/2020	103384	Ad Astra Drycleaning	Council dry cleaning - Sept 2020	\$709.60
E044118	16/10/2020	103711	Urban Development Institute of Australia (WA)	Attendance UDIA Industry Lunch - Planning	\$765.00
E044119	16/10/2020	104149	Fuel Creative - Dalky Pty Ltd T/As	Design/artwork - Bold Park Aquatic	\$1,595.00
E044120	16/10/2020	104492	Marketforce Pty Ltd	Marketforce advertising - Sept 2020	\$10,000.63
E044121	16/10/2020	104612	Aveling Training	On-line staff training	\$605.00
E044122	16/10/2020	104895	Gutter Vac Perth	Commercial gutter clean - Quarry	\$791.50
E044123	16/10/2020	104900	Blue Heeler Trading	Swimware accessories for Resale - Bold Park Aquatic	\$1,016.18
E044124	16/10/2020	104953	Gilmour & Jooste Electrical	Electrical/lighting repairs - WGC	\$18,210.99
E044125	16/10/2020	105114	Corsign WA	Supply various signs	\$662.86
E044126	16/10/2020	105206	Dave Lanfear Consulting Pty Ltd	Professional services re Consultancy Services - Open Space & Cor	\$12,168.75
E044127	16/10/2020	105303	Brownes Foods Operations Pty Limited	Café provisions - Bold Park Café	\$142.29
E044128	16/10/2020	105315	PFD Food Services Pty Ltd	Café provisions - Bold Park Café	\$389.35
E044129	16/10/2020	105319	S & A Smash Repairs	TOC vehicle insurance excess - Rangers	\$500.00
E044130	16/10/2020	105337	B.A.S.E WA	Building maintenance/repairs - IT Server Room	\$2,970.00
E044131	16/10/2020	105358	Workwear Group Pty Ltd	Supply corporate uniform - Admin	\$1,738.52
E044132	16/10/2020	105411	Flick Anticimex Pty Ltd	Pest control Sept 2020 - various locations	\$2,845.87
E044133	16/10/2020	105429	GFG Temporary Assist - Glen Flood Group Pty	Temporary labour hire - Infrastructure	\$3,218.35
E044134	16/10/2020	105446	Fresh Convenience Catering - Heart in Hospita	Catering Admin meetings	\$267.20
E044135	16/10/2020	105534	ISubscribe Pty Ltd	Subscription renewal - Library	\$1,233.28
E044136	16/10/2020	105581	System Maintenance - Ballantyne Commercial	Grease trap cleaning - City Beach Commercial Precinct	\$3,110.65
E044137	16/10/2020	105594	Nao Williams	Aquatic instructor - Bold Park Aquatic	\$113.40
E044138	16/10/2020	105600	Michelle Bariolo	Aquatic instructor - Bold Park Aquatic	\$423.00
E044139	16/10/2020	105612	Hotchkin Hanly Barristers and Solicitors	Professional services re Legal advice - Wembley Sports Park	\$7,150.00
E044140	16/10/2020	105617	Cleansweep WA - Specialized Cleaning Group	Carpark sweeping - Floreat Beach	\$439.15
E044141	16/10/2020	105627	Advanced Traffic Management WA Pty Ltd	Traffic management control various locations	\$1,630.24
E044142	16/10/2020	105649	Work Health Professionals Pty Ltd	Pre-employment medicals - People & Culture	\$1,320.06
E044143	16/10/2020	105702	Autopia Management Pty Ltd	Novated Lease Contributions	\$1,956.52
E044144	16/10/2020	105708	Bardfield Engineering	Supply & install goal posts - Wembley Sports Park	\$825.00
E044145	16/10/2020	105733	Hudson Global Resources (Aust) Pty Ltd	Temporary labour hire - Planning	\$1,925.46
E044146	16/10/2020	105803	Tracc Civil Pty Ltd	Progress claim Matthews Netball Centre Lighting Project	\$2,244.55
E044147	16/10/2020	105852	On Tap Plumbing & Gas Pty Ltd	Plumbing/Gas maintenance/repairs - Admin	\$81.40
E044148	16/10/2020	105866	Marawar Pty Ltd	Building repairs - City Beach Public Toilets	\$464.37
E044149	16/10/2020	105907	Cobblestone Concrete Pty Ltd	Aggregated concrete footpath - Challenger Pde City Beach	\$13,117.50
E044150	16/10/2020	105910	Rafael Pieroni	Aquatic instructor - Bold Park Aquatic	\$61.05
E044151	16/10/2020	400003	Amer Sports Australia Pty Ltd	Stock purchase - WGC	\$782.43
E044152	16/10/2020	400004	American Golf Supplies	Stock purchase - WGC	\$871.64
E044153	16/10/2020	400005	Andrew Graham Thomas	Golf lesson/tuition - WGC	\$6,439.09
E044154	16/10/2020	400016	Claire Elvidge (	Golf lesson/tuition - WGC	\$2,424.49

E044155	16/10/2020	400035	Luxottica Australia	Stock purchase - WGC	\$349.58
E044156	16/10/2020	400040	Paul A Criddle	Golf lesson/tuition - WGC	\$1,070.28
E044157	16/10/2020	400042	Peter Wright Golf Agencies Pty Ltd	Stock purchase - WGC	\$291.46
E044158	16/10/2020	400048	Richard Brain	Golf lesson/tuition - WGC	\$2,220.62
E044159	16/10/2020	400062	Toro Australia Group Sales Pty Ltd	Hardware items - WGC	\$234.83
E044160	16/10/2020	400069	Living Turf	Turf maintenance/supplies - WGC	\$16,335.00
E044161	16/10/2020	400075	Total Eden	Irrigation/sprinkler maintenance/repairs - WGC	\$3,602.98
E044162	16/10/2020	400080	Globe Australia Pty Ltd	Supply fertiliser - WGC	\$4,356.00
E044163	16/10/2020	400099	George Campbell	Golf lesson/tuition - WGC	\$1,577.14
E044164	16/10/2020	400100	Walkinshaw Sports Pty Ltd	Stock purchase - WGC	\$1,730.30
E044165	16/10/2020	400112	Puma Australia Pty Ltd	Stock purchase - WGC	\$1,023.03
E044166	16/10/2020	400116	Michael Long	Golf lesson/tuition - WGC	\$3,879.00
E044167	16/10/2020	400118	Ambrose Estate WA	Staff training - WGC	\$294.00
E044168	16/10/2020	400119	Direct One Agencies Pty Ltd	Stock purchase - WGC	\$1,045.00
E044169	16/10/2020	400128	Total Turf - The Kirk Family Trust T/as	Supply hardware items - WGC	\$1,056.52
E044170	16/10/2020	400138	AE Hoskins Building Services	Building maintenance/repairs - Pro Shop WGC	\$886.88
E044171	16/10/2020	400142	Zambezi Plumbing and Gas	Plumbing/Gas maintenance/repairs - WGC	\$1,164.90
				Sub Total	\$559,155.76

<b>Payments Issued Listing Week Ending 11 October 2020</b>					
<b>Payment Number</b>	<b>Payment Date</b>	<b>Payee Code</b>	<b>Name/Reference</b>	<b>Description</b>	<b>Payment Amount</b>
E043956	9/10/2020	001714	City Of Wanneroo	Rates Tamala Park - 2020/2021	\$28,616.51
E043957	9/10/2020	100007	Australia Post	Postage various locations September 2020	\$6,142.16
E043958	9/10/2020	100031	BOC Gases Australia Ltd	Oxygen service - Bold Park	\$24.20
E043959	9/10/2020	100038	Bring Couriers	Courier sage various locations September 2020	\$338.75
E043960	9/10/2020	100044	Bunnings Building Supplies Pty Ltd	Toilet holder	\$4.40
E043961	9/10/2020	100078	Total Eden Pty Ltd	Supply parts - Parks	\$621.17
E043962	9/10/2020	100089	Western Australian Local Government Association	Local Government Training - Mayor	\$390.00
E043963	9/10/2020	100096	LGIS Workcare	Workcare Instalment (2) 2020/2021	\$105,270.00
E043964	9/10/2020	100105	Westcare Industries	Printing Services - Library	\$108.90
E043965	9/10/2020	100107	Stevlec Electrical Pty Ltd	Electrical Services - various locations	\$6,654.09
E043966	9/10/2020	100129	Statewide Cleaning Supplies Pty Ltd	Provisions - Admin	\$92.14
E043967	9/10/2020	100243	Total Packaging	Supply doggy dumpage disposal units - Depot	\$1,201.20
E043968	9/10/2020	100314	Winc Australia Pty Limited	Supply stationery - Admin	\$3,335.81
E043969	9/10/2020	100372	Perth Frozen Foods P/L	Café provisions - Bold Park Café	\$545.45
E043970	9/10/2020	100384	Protection Engineering Pty Ltd	Installation of signage - City Beach Park	\$404.80
E043971	9/10/2020	100391	The Workers Shop	Supply protective clothing items outside workers	\$155.00
E043972	9/10/2020	100412	Budget Rent A Car	Vehicle Rental - Infrastructure	\$3,581.39
E043973	9/10/2020	100413	James Bennett Pty Ltd	Stock Purchase - Library	\$94.23
E043974	9/10/2020	100442	SAI Global Ltd	Renewal subscription BCA - Infrastructure	\$2,731.30
E043975	9/10/2020	100474	Techsand	Footpath repair - Oxford Close West L/ville	\$1,100.00
E043976	9/10/2020	100634	Tonca Earthmoving	Earthmoving services - various locations	\$10,451.10
E043977	9/10/2020	100714	Konica Minolta Business Solutions Australia Pty Ltd	Photocopying services - Library	\$26.02
E043978	9/10/2020	100756	Classic Tree Services	Prune/remove trees various locations	\$8,052.00
E043979	9/10/2020	100774	Donegan Enterprises Pty Ltd	Supply and install limestone - City Beach Oval	\$5,434.00
E043980	9/10/2020	100783	Leo Heaney Pty Ltd	Truck and Labour hire - various locations	\$26,886.22
E043981	9/10/2020	100788	Major Motors Pty Ltd	Periodical Service P0125	\$826.72
E043982	9/10/2020	100793	Messages On Hold	Provision of Programming & Equipment	\$1,079.25
E043983	9/10/2020	100796	Mindarie Regional Council	Tipping fees Tamala Park	\$25,603.30
E043984	9/10/2020	100833	Stratagreen	Tree Maintenance equipment	\$641.19
E043985	9/10/2020	100897	Dell Australia Pty Ltd	Purchase Monitor - Com Dev & Parks	\$502.79
E043986	9/10/2020	100904	Cambridge Coastcare	Contribution marketing activities - Infrastructure	\$2,250.00
E043987	9/10/2020	100952	Western Metropolitan Regional Council Office	Recycling Services & Tipping fees	\$31,351.81
E043988	9/10/2020	100956	Flexi Staff Pty Ltd	Labour Hire - Depot	\$1,875.45
E043989	9/10/2020	101102	Retech Rubber	Public playground installation- Wembley Golf Course	\$5,463.70
E043990	9/10/2020	101165	LGIS Liability	Public Liability (2nd instalment) 2020/2021	\$113,437.50
E043991	9/10/2020	101337	Floreat Surf Life Saving Club	Reimburse deposit - fencing repairs	\$598.50

E043992	9/10/2020	101344	Miracle Recreation Equipment	Supply & Install 2 Pommel swing - Beecroft Park	\$704.00
E043993	9/10/2020	101440	Dormakaba Australia Pty Ltd	Repairs sliding doors - Pro Shop	\$528.00
E043994	9/10/2020	101469	All-Type Engraving	Self inking stamps (2)	\$132.00
E043995	9/10/2020	101578	Lock Stock & Farrell Locksmith	Replace damaged door - North Lake Monger Public Toilets	\$436.20
E043996	9/10/2020	101629	Bannister Downs Dairy Company	Provisions - Admin	\$83.20
E043997	9/10/2020	101759	Stihl Shop - CSP Group	Repairs Hedger Blade sharpening - Parks	\$516.95
E043998	9/10/2020	101817	LGIS Property	Premium (Property) 2nd instalment 2020/2021	\$106,307.13
E043999	9/10/2020	101836	Subiaco Floreat Cricket Club Inc	Turf Maintenance Agreement 2020/2021	\$60,500.00
E044000	9/10/2020	101922	Steves Kerb Repairs	Kerb repairs - various locations	\$2,128.50
E044001	9/10/2020	102135	Rohanna Pty Ltd atf The Skipper Unit Trust	Vehicle Services - various locations	\$1,703.36
E044002	9/10/2020	102186	J & K Hopkins	Supply Chair - Infrastructure	\$319.00
E044003	9/10/2020	102683	AE Hoskins Building Services	Supply & Repairs Building services - various locations	\$154,976.73
E044004	9/10/2020	102948	Golf Car World	Rental 6 seater Golf Cart - Quarry	\$6,545.00
E044005	9/10/2020	103070	Natural Area Consulting Management Services	Weed Control - various locations	\$1,418.01
E044006	9/10/2020	103090	Statewide Staging Systems	Yearly Maintenance - Chain Motors Sept 2020	\$5,445.00
E044007	9/10/2020	103130	Dorrington Plumbing & Gas	Plumbing Services - various locations	\$542.50
E044008	9/10/2020	103165	Jackson McDonald Lawyers	Professional Services - Kneebone Lane	\$2,666.64
E044009	9/10/2020	103321	Squire Patton Boggs (AU)	Legal Advice - Authorised Inquiry and show cause notice	\$99,472.63
E044010	9/10/2020	103369	OpenCities Pty Ltd	Subscriptions renewal	\$11,000.00
E044011	9/10/2020	103617	Australian HVAC Services	Quarterly Preventive Maintenance - Bold Park	\$836.00
E044012	9/10/2020	103827	Graffiti Force	Graffiti Removal - various locations	\$16,403.64
E044013	9/10/2020	104155	Australia Post - counter transactions	Postage - Rates	\$1,719.70
E044014	9/10/2020	104404	Initial Hygiene	Sanitisers - Library	\$141.90
E044015	9/10/2020	104446	Shamrock Tyres	Vehicle Maintenance - Parks	\$866.00
E044016	9/10/2020	104510	Scott Print	Books Purchases - Library	\$997.70
E044017	9/10/2020	104638	Spider Waste Collection Services Pty Ltd	Furniture's Collections - Waste	\$3,866.50
E044018	9/10/2020	104704	CAI Fences	Repairs to damaged fence & gate - various locations	\$3,052.50
E044019	9/10/2020	104840	West Coast Shade Pty Ltd	Supply replacement shade - various locations	\$7,469.00
E044020	9/10/2020	104872	Toolmart Australia Pty Ltd	Stocks Purchase - Depot	\$255.00
E044021	9/10/2020	105021	All Access Australasia	DVD Purchase - Library	\$215.78
E044022	9/10/2020	105033	Vertical Gardens WA	Gardens Maintenance - Bold Park	\$2,897.00
E044023	9/10/2020	105045	Filmbites	Filmmaking workshop - Comm Development	\$2,189.00
E044024	9/10/2020	105075	Bike Smart	Cycling workshop - Sustainability	\$3,355.00
E044025	9/10/2020	105085	Ambrose Estate WA	Kitchen Maintenance - WGC	\$11,816.75
E044026	9/10/2020	105121	Total Aqua - Mandurah	Replacement water cooler - WCC	\$675.00
E044027	9/10/2020	105294	Threat Protect	Security services - Admin building	\$176.74
E044028	9/10/2020	105303	Brownes Foods Operations Pty Limited	Café provisions - Bold Park Café	\$278.48
E044029	9/10/2020	105315	PFD Food Services Pty Ltd	Café provisions - Bold Park Café	\$327.95
E044030	9/10/2020	105329	Perth Polishing and Protection	Cleaning Maintenance - Admin	\$320.00
E044031	9/10/2020	105358	Workwear Group Pty Ltd	Uniform purchase - Property & Contracts	\$132.00

E044032	9/10/2020	105487	Height Safety Recertification Company Pty Ltd	Safety building Inspection - various locations	\$4,620.00
E044033	9/10/2020	105506	Distributors Perth (the)	Stocks Purchase - Bold Park	\$191.55
E044034	9/10/2020	105514	Tarramot Pty Ltd T/AS GT Media	Media & PR Management outcome inquiry	\$26,045.26
E044035	9/10/2020	105526	Michael Henderson Legal Services Pty Ltd	Legal Services - Ocean Village Shop Centre Car Park	\$12,221.00
E044036	9/10/2020	105542	Mills Oakley Lawyers	Legal Advice - employment matters	\$18,861.70
E044037	9/10/2020	105558	Quality Oil Filters	Equipment cleaning services - Bold Park	\$152.50
E044038	9/10/2020	105581	System Maintenance - Ballantyne Commercial Prop	Sewerage inspect and maintain - City Beach Public Sewer	\$2,038.30
E044039	9/10/2020	105582	Latin Moves & Fitness	Aquatic instructor - Bold Park Aquatic	\$580.05
E044040	9/10/2020	105585	Boulevard IGA (The)	Provisions - Bold Park	\$17.56
E044041	9/10/2020	105612	Hotchkin Hanly Barristers and Solicitors	Professional Services - Outstanding Legal Matters	\$392.70
E044042	9/10/2020	105614	Canon Australia Pty Ltd	Photocopying services - Admin	\$550.09
E044043	9/10/2020	105692	RTSM Consulting	Consulting fees - Road Safety various locations	\$2,420.00
E044044	9/10/2020	105693	CSSTECH	Handset purchase - IT department	\$588.50
E044045	9/10/2020	105702	Autopia Management Pty Ltd	Novated Lease contributions	\$1,956.52
E044046	9/10/2020	105733	Hudson Global Resources (Aust) Pty Ltd	Labour Hire - Planning	\$2,115.44
E044047	9/10/2020	105852	On Tap Plumbing & Gas Pty Ltd	Plumbing Services - Bold Park	\$122.10
E044048	9/10/2020	105866	Marawar Pty Ltd	Building Maintenance - Quarry	\$365.75
E044049	9/10/2020	105892	Candor Contractors Pty Ltd	Construction of Shed Lake Monger - Progress Claim - PC02	\$218,070.49
E044050	9/10/2020	105897	RSR Signage Pty Ltd t/as Sign A Rama (Osborne Pa	Event Trailer Purchase - Comm Dev	\$1,550.43
E044051	9/10/2020	105909	Quantified Tree Risk Assessment	Registration renewal - QTRA (Parks)	\$181.50
E044052	9/10/2020	400004	American Golf Supplies	Stock Purchases - WGC	\$783.42
E044053	9/10/2020	400012	Brad Parker	Golf lessons/tuition - WGC	\$2,066.31
E044054	9/10/2020	400013	Callaway Golf South Pacific Pty Ltd	Stock Purchases - WGC	\$6,097.90
E044055	9/10/2020	400014	Challenge Batteries WA	Batteries parts purchase - WGC	\$240.90
E044056	9/10/2020	400015	Champion Sports Pty Ltd	Bushnell Tour Laser purchase - WGC	\$835.48
E044057	9/10/2020	400016	Claire Elvidge	Golf lessons/tuition - WGC	\$1,019.71
E044058	9/10/2020	400025	DBS Fencing	Replace and repair damaged fences - WGC	\$3,129.50
E044059	9/10/2020	400030	Golf Car World	Ciushman Hauler parts and labour - WGC	\$2,145.00
E044060	9/10/2020	400035	Luxottica Australia	Stock Purchase - WGC	\$198.15
E044061	9/10/2020	400036	Mark Patriarca	Golf lessons/tuition - WGC	\$2,448.91
E044062	9/10/2020	400060	Srixon Sports Australasia	Stock Purchases - WGC	\$522.40
E044063	9/10/2020	400062	Toro Australia Group Sales Pty Ltd	Supply Parts - WGC	\$117.41
E044064	9/10/2020	400064	Vast Print Management	Printing Services - WGC	\$665.50
E044065	9/10/2020	400068	Stihl Shop - CSP Group	Consumables - WGC	\$172.90
E044066	9/10/2020	400070	Fuel Distributors of WA Pty Ltd	Stock Purchases - WGC	\$3,062.59
E044067	9/10/2020	400074	Winc Australia Pty Ltd	Printing expenses - WGV	\$228.20
E044068	9/10/2020	400075	Total Eden	Reticulations maintenance - WGC	\$1,778.53
E044069	9/10/2020	400083	WellStrategic	Monthly retainer Sept 20 - WGC	\$1,980.00
E044070	9/10/2020	400092	Acushnet Australia Pty Ltd	Stock Purchases - WGC	\$7,760.48
E044071	9/10/2020	400099	George Campbell	Golf lessons/tuition - WGC	\$1,752.43

E044072	9/10/2020	400100	Walkinshaw Sports Pty Ltd	Stock Purchases - WGC	\$1,012.23
E044073	9/10/2020	400107	GPC Asia Pacific Pty Ltd T/As Covs	Supply parts - WGC	\$166.33
E044074	9/10/2020	400108	Green Workz Pty Ltd	Stock Purchases - WGC	\$3,309.90
E044075	9/10/2020	400112	Puma Australia Pty Ltd	Stock Purchases - WGC	\$12,060.26
E044076	9/10/2020	400125	Robbie Brown Pty Ltd	Supply Corporate Uniforms - WGC	\$138.27
E044077	9/10/2020	400128	Total Turf - The Kirk Family Trust T/as	Stock Purchases - WGC	\$1,562.00
E044078	9/10/2020	400137	Elite Graphix - The Trustee for the MJM Family Trust	Employees Badges - WGC	\$25.25
				Sub Total	\$1,257,628.94

**Payments Issued Listing Week Ending 9 October 2020**

<b>Payment Number</b>	<b>Payment Date</b>	<b>Payee Code</b>	<b>Name/Reference</b>	<b>Description</b>	<b>Payment Amount</b>
E043849	1/10/2020	100108	Deputy Commissioner of Taxation	PAYG PE 27/09/2020	\$143,999.00
E043850	5/10/2020	100474	Techsand	Construct concrete footpaths Powis Street, Peeble Road	\$52,099.09
E043851	5/10/2020	105296	Kbest Marine Pty Ltd T/As Taskers	Repairs to shade sails - Bold Park Aquatic	\$14,843.40
E043852	5/10/2020	100044	Bunnings Building Supplies Pty Ltd	Hardware items -Admin / Depot	\$1,338.74
E043853	5/10/2020	100078	Total Eden Pty Ltd	Replace faulty bore pump - Lake Monger	\$4,537.50
E043854	5/10/2020	100089	Western Australian Local Government Association	Staff training - Community & Corporate	\$40.00
E043855	5/10/2020	100179	Floreat Forum Newsagency	Supply papers and magazines Jun - Aug 2020 - Library	\$388.80
E043856	5/10/2020	100312	Mcleods Barristers & Solicitors	Professional services re: SAT Appeal	\$3,146.31
E043857	5/10/2020	100319	Landgate - Midland	Gross rental valuations Sep 2020 - Rates	\$252.91
E043858	5/10/2020	100391	The Workers Shop	Supply protective clothing items outside workers	\$860.00
E043859	5/10/2020	100409	Western Irrigation	SIM card bore pumps - Parks	\$4,903.25
E043860	5/10/2020	100412	Budget Rent A Car	Hire vehicle during Town vehicle repairs - Rangers	\$1,179.09
E043861	5/10/2020	100413	James Bennett Pty Ltd	Stock purchase - Library	\$50.76
E043862	5/10/2020	100476	Access Icon Pty Ltd T/As Cascada Group	Hardware items - Depot	\$564.30
E043863	5/10/2020	100497	Armaguard	Banking services Jul 2020 - Admin / Bold Park Aquatic	\$852.48
E043864	5/10/2020	100633	Coates Hire	Minor equipment hire - Depot	\$105.19
E043865	5/10/2020	100634	Tonca Earthmoving	Hire of equipment City Beach Oval Playground	\$564.30
E043866	5/10/2020	100701	Telethon Speech & Hearing Limited	Town contribution to sewer pit maintenance - North Lake Monger	\$366.66
E043867	5/10/2020	100756	Classic Tree Services	Prune/remove trees various locations Sep 2020	\$16,990.71
E043868	5/10/2020	100760	Coca-Cola Amatil (Aust) Pty Ltd	Beverages for resale - Bold Park Aquatic Café	\$708.93
E043869	5/10/2020	100796	Mindarie Regional Council	Tipping fees Tamala Park	\$27,267.52
E043870	5/10/2020	100884	Suez Recycling & Recovery (Perth) Pty Ltd	Contract waste collection services various locations Aug 2020	\$168,708.71
E043871	5/10/2020	100897	Dell Australia Pty Ltd	Supply computer hardware - IT	\$2,061.40
E043872	5/10/2020	100902	Sports Turf Technology	Leaf tissue analysis various Sports fields	\$2,717.00
E043873	5/10/2020	100956	Flexi Staff Pty Ltd	Temporary labour hire outside workers	\$1,500.36
E043874	5/10/2020	100978	FCT Surface Cleaning	Bore stain removal - Ruislip Park	\$715.00
E043875	5/10/2020	101469	All-Type Engraving	Stationery - Rangers	\$51.70
E043876	5/10/2020	101578	Lock Stock & Farrell Locksmith	Repair to faulty lock - City Beach Oval Pavilion	\$140.00
E043877	5/10/2020	102135	Rohanna Pty Ltd atf The Skipper Unit Trust	Service Town vehicle - Community Services / Regulatory Services	\$1,293.96
E043878	5/10/2020	102256	Seniors Recreation Council of WA	"Living Well with Dementia" Project - Senior Services	\$500.00
E043879	5/10/2020	102683	AE Hoskins Building Services	Building maintenance / repairs various locations	\$450.26
E043880	5/10/2020	103070	Natural Area Consulting Management Services	Weed control - Lake Monger / Quarry	\$7,678.77
E043881	5/10/2020	103130	Dorrington Plumbing & Gas	Plumbing repairs toilet facilities various locations - Sep 2020	\$16,929.50
E043882	5/10/2020	103398	Bridgestone Australia Ltd	Tyre replacement road sweeper - Depot	\$616.55
E043883	5/10/2020	104131	Markovich Family Trust T/As Temptations Catering	Catering Admin meetings	\$810.37
E043884	5/10/2020	104149	Fuel Creative - Dalky Pty Ltd T/As	Design advertising signage - Infrastructure	\$418.00
E043885	5/10/2020	104492	Marketforce Pty Ltd	Marketforce advertising Sep 2020	\$450.25
E043886	5/10/2020	104510	Scott Print	Stationery items - Governance	\$181.50
E043887	5/10/2020	104697	All Fence U Rent Pty Ltd	Hire temporary fence - South City Beach	\$199.38

<b>Payment Number</b>	<b>Payment Date</b>	<b>Payee Code</b>	<b>Name/Reference</b>	<b>Description</b>	<b>Payment Amount</b>
E043888	5/10/2020	104772	Quayclean Australia Pty Ltd	Contract cleaning services various locations Sep 2020	\$45,260.80
E043889	5/10/2020	104872	Toolmart Australia Pty Ltd	Hardware items - Depot	\$63.80
E043890	5/10/2020	105034	Wespray on Paving Pty Ltd	Weed control - Moray Avenue - Pebbles Road	\$687.94
E043891	5/10/2020	105106	Taylor Burrell Barnett	Professional services re West Leederville Activity Centre Plan	\$987.16
E043892	5/10/2020	105111	Enviro Infrastructure Pty Ltd	Paving repairs - Library	\$860.87
E043893	5/10/2020	105294	Threat Protect	Mobile security patrol services various locations Aug - Sep 2020	\$530.22
E043894	5/10/2020	105303	Brownes Foods Operations Pty Limited	Café provisions - Bold Park Café	\$114.24
E043895	5/10/2020	105309	Minbari Pty Ltd T/As Wembley Autocare	Service Town vehicles - Depot / Parks / Planning	\$2,097.50
E043896	5/10/2020	105311	Cakes West Pty Ltd T/As Danish Patisserie	Café provisions - Bold Park Aquatic Café	\$296.89
E043897	5/10/2020	105321	Techworks Electrical	Electrical repairs - WGC	\$1,841.84
E043898	5/10/2020	105385	Sifting Sands - Buzz Enterprises Pty Ltd T/As	Playground sand cleaning - Ocean Village	\$211.20
E043899	5/10/2020	105429	GFG Temporary Assist - Glen Flood Group Pty Ltd T/A	Temporary labour hire - Infrastructure	\$3,931.32
E043900	5/10/2020	105446	Fresh Convenience Catering - Heart in Hospitality Pty L	Catering Admin meetings	\$264.00
E043901	5/10/2020	105492	Castledex Pty Ltd	Compactus service and report - Admin	\$660.00
E043902	5/10/2020	105534	ISubscribe Pty Ltd	Subscription renewal - Library	\$207.99
E043903	5/10/2020	105585	Boulevard IGA (The)	Provisions - Bold Park Aquatic	\$34.73
E043904	5/10/2020	105600	Michelle Bariolo	Aquatic instructor - Bold Park Aquatic	\$296.20
E043905	5/10/2020	105606	Surveytech Traffic Surveys Pty Ltd	Professional services re: Traffic Surveys various locations	\$2,178.00
E043906	5/10/2020	105616	Susannah Bell	Aquatic instructor - Bold Park Aquatic	\$497.10
E043907	5/10/2020	105627	Advanced Traffic Management WA Pty Ltd	Traffic management various locations Sept 2020	\$7,273.36
E043908	5/10/2020	105674	Mobile Dustless Blasting Services Pty Limited	Remove street line marking - Moray Avenue - Pebbles Road	\$770.00
E043909	5/10/2020	105692	RTSM Consulting	Traffic engineering support services - Infrastructure	\$528.00
E043910	5/10/2020	105733	Hudson Global Resources (Aust) Pty Ltd	Temporary labour hire - Planning	\$3,845.12
E043911	5/10/2020	105748	Access Technologies	Repairs to exit gate - Quarry	\$436.70
E043912	5/10/2020	105770	Vocus Pty Ltd	Computer software - IT	\$726.39
E043913	5/10/2020	105808	Bushtrek Pty Ltd t/as JBA Surveys	Survey of proposed work at City Beach Tennis Club	\$1,650.00
E043914	5/10/2020	105885	Madjitol Moorna Inc	Artist in Residence 2020/21 - Community Development	\$2,500.00
E043915	5/10/2020	400004	American Golf Supplies	Stock purchase - WGC	\$5,237.32
E043916	5/10/2020	400005	Andrew Graham Thomas	Golf lesson/tuition - WGC	\$6,314.08
E043917	5/10/2020	400012	Brad Parker	Golf lesson/tuition - WGC	\$2,441.78
E043918	5/10/2020	400013	Callaway Golf South Pacific Pty Ltd	Stock purchase - WGC	\$3,069.49
E043919	5/10/2020	400018	Country Club International Pty Ltd	Repairs to barrier screen fencing due to storm damage - WGC	\$67,705.00
E043920	5/10/2020	400021	D.S.J. Enterprises	Stock purchase - WGC	\$34.79
E043921	5/10/2020	400028	Eighteen Eves	Stock purchase - WGC	\$1,201.20
E043922	5/10/2020	400030	Golf Car World	Repairs to golf course equipment - WGC	\$1,605.00
E043923	5/10/2020	400035	Luxottica Australia	Stock purchase - WGC	\$278.76
E043924	5/10/2020	400060	Srixon Sports Australasia	Stock purchase - WGC	\$2,962.52
E043925	5/10/2020	400061	Taylor Made Golf Australia Pty Ltd	Stock purchase - WGC	\$4,910.43
E043926	5/10/2020	400062	Toro Australia Group Sales Pty Ltd	Consumables - WGC	\$125.96
E043927	5/10/2020	400064	Vast Print Management	Supply advertising material - WGC	\$264.00
E043928	5/10/2020	400072	Konica Minolta Business Solutions Australia Pty Ltd	Photocopier maintenance/copies WGC	\$102.38

<b>Payment Number</b>	<b>Payment Date</b>	<b>Payee Code</b>	<b>Name/Reference</b>	<b>Description</b>	<b>Payment Amount</b>
E043929	5/10/2020	400073	Bunnings Building Supplies Pty Ltd	Hardware items - WGC	\$534.83
E043930	5/10/2020	400074	Winc Australia Pty Ltd	Stationery - WGC	\$331.91
E043931	5/10/2020	400083	WellStrategic	Website IT services - WGC	\$1,980.00
E043932	5/10/2020	400089	South Metropolitan TAFE	Consumables - WGC	\$594.00
E043933	5/10/2020	400092	Acushnet Australia Pty Ltd	Stock purchase - WGC	\$9,037.61
E043934	5/10/2020	400093	The Workers Shop	Supply protective clothing items outside workers - WGC	\$651.84
E043935	5/10/2020	400095	Link Us Pty Ltd	IT support - WGC	\$472.41
E043936	5/10/2020	400100	Walkinshaw Sports Pty Ltd	Stock purchase - WGC	\$10,201.47
E043937	5/10/2020	400111	Golf Performance - Benjamin Percival	Golf lesson/tuition - WGC	\$1,505.63
E043938	5/10/2020	400112	Puma Australia Pty Ltd	Stock purchase - WGC	\$1,505.67
E043939	5/10/2020	400117	Stevlec Electrical Pty Ltd	Electrical/lighting repairs - WGC	\$204.12
E043940	5/10/2020	400119	Direct One Agencies Pty Ltd	Stock purchase - WGC	\$1,339.80
E043941	5/10/2020	400125	Robbie Brown Pty Ltd	Stock purchase - WGC	\$875.71
E043942	5/10/2020	400126	Julie Carter t/as B-Rapt Apparel	Stock purchase - WGC	\$275.00
E043943	5/10/2020	400137	Elite Graphix - The Trustee for the MJM Family Trust	Supply staff name badges - WGC	\$577.12
E043944	5/10/2020	100182	Catherine Barlow	Councillors Allowances - Oct 2020	\$2,208.33
E043945	5/10/2020	100204	Rod W Bradley	Councillors Allowances - Oct 2020	\$2,208.32
E043946	5/10/2020	104918	Andres Walter Timmermanis	Councillors Allowances - Oct 2020	\$2,208.33
E043947	5/10/2020	104919	Keri Liona Shannon	Councillors Allowances - Oct 2020	\$8,089.00
E043948	5/10/2020	105361	Ian Everett	Councillors Allowances - Oct 2020	\$2,208.33
E043949	5/10/2020	105405	Kathryn J McKerracher	Councillors Allowances - Oct 2020	\$3,515.16
E043950	5/10/2020	105768	Alaine Haddon-Casey	Councillors Allowances - Oct 2020	\$2,208.33
E043951	5/10/2020	105769	Gary Norman Mack	Councillors Allowances - Oct 2020	\$2,208.33
E043952	6/10/2020	100034	Australian Service Union	Monthly Deductions - Sep 2020	\$155.40
E043953	6/10/2020	100073	Child Support Agency	Monthly Deductions - Sep 2020	\$1,234.48
E043954	6/10/2020	100233	LGRCEU	Monthly Deductions - Sep 2020	\$738.00
E043955	6/10/2020	103816	Department of Mines Industry Regulation and Safety - E	Building levies - Sep 2020	\$34,022.33
				Sub Total	\$746,577.19

Payments Issued Listing Week Ending 30 September 2020					
Payment Number	Payment Date	Payee Code	Name/Reference	Description	Payment Amount
E043766	25/09/2020	100062	City Of Perth	Building/Development Archive Retrievals Aug 2020	\$327.06
E043767	25/09/2020	100089	Western Australian Local Government Association	Staff Training - IT	\$40.00
E043768	25/09/2020	100107	Stevlec Electrical Pty Ltd	Lighting/electrical repairs various locations - Sept 20	\$6,536.15
E043769	25/09/2020	100197	Westbooks	Stock purchase - Library	\$851.45
E043770	25/09/2020	100202	Connect Call Centre Services	After hours message service Aug 2020 - Rangers	\$500.67
E043771	25/09/2020	100243	Total Packaging	Supply doggy dumpage disposal units - Depot	\$2,145.00
E043772	25/09/2020	100312	Mcleods Barristers & Solicitors	Professional services re: SAT Appeal	\$3,025.43
E043773	25/09/2020	100314	Winc Australia Pty Limited	Stationery - Admin / Library	\$1,226.30
E043774	25/09/2020	100319	Landgate - Midland	Digital imagery - IT	\$815.80
E043775	25/09/2020	100323	Sunny Sign Company Pty Ltd	Supply Park signage	\$143.00
E043776	25/09/2020	100384	Protection Engineering Pty Ltd	Fire equipment repairs/maintenance Aug 2020 vari	\$905.60
E043777	25/09/2020	100412	Budget Rent A Car	Temporary vehicle hire - Parks	\$1,186.66
E043778	25/09/2020	100423	St John Ambulance Australia	First aid supplies - Rangers / Senior Services	\$571.70
E043779	25/09/2020	100476	Access Icon Pty Ltd T/As Cascada Group	Hardware items - Depot	\$8,424.89
E043780	25/09/2020	100714	Konica Minolta Business Solutions Australia Pty Ltd	Photocopier maintenance/copies various locations \$	\$438.84
E043781	25/09/2020	100763	Surf Life Saving of WA	Lifeguard Services - September 2020	\$36,795.26
E043782	25/09/2020	100796	Mindarie Regional Council	Tipping fees Tamala Park	\$14,804.09
E043783	25/09/2020	100884	Suez Recycling & Recovery (Perth) Pty Ltd	Contract waste collection services various locations	\$1,322.16
E043784	25/09/2020	100952	Western Metropolitan Regional Council Office	Tipping fees - Depot	\$780.03
E043785	25/09/2020	101305	Stott Hoare	Computer software - IT	\$2,845.70
E043786	25/09/2020	101629	Bannister Downs Dairy Company	Provisions - Admin	\$80.00
E043787	25/09/2020	101662	Cardno (WA) Pty Ltd	Professional services re: Traffic survey - Blencowe \$	\$3,201.00
E043788	25/09/2020	101758	Enigma Business Products	Stationery - Admin	\$275.00
E043789	25/09/2020	102099	Instant Windscreens	Town vehicle repairs - Parks	\$830.00
E043790	25/09/2020	102135	Rohanna Pty Ltd atf The Skipper Unit Trust	Service Town vehicles - Planning, Corporate & Com	\$738.93
E043791	25/09/2020	102447	Integrated Distribution Pty Ltd	Hardware items - Depot	\$1,631.19
E043792	25/09/2020	102683	AE Hoskins Building Services	Building repairs/maintenance various locations Sep	\$1,027.94
E043793	25/09/2020	102684	Prosegur Australia Pty Limited	Cash collection services parking ticket machines Au	\$5,344.65
E043794	25/09/2020	103070	Natural Area Consulting Management Services	Weed control - Challenger Park	\$7,090.05
E043795	25/09/2020	103130	Dorrington Plumbing & Gas	Plumbing repairs toilet facilities various locations - S	\$21,933.25
E043796	25/09/2020	103398	Bridgestone Australia Ltd	Supply tyres Town vehicle - Depot	\$1,703.79
E043797	25/09/2020	103617	Australian HVAC Services	Air conditioning maintenance/repairs - Library / WC	\$1,410.75
E043798	25/09/2020	103628	Sunny Industrial Brushware Pty Ltd	Minor equipment repairs - Depot	\$353.76
E043799	25/09/2020	104006	Massey's Herd Milk Supply	Provisions - Depot	\$185.60
E043800	25/09/2020	104131	Markovich Family Trust T/As Temptations Catering	Catering Admin meetings	\$966.49
E043801	25/09/2020	104162	Team Systems (WA) Pty Ltd	Supply equipment items - Bold Park Aquatic	\$1,149.02
E043802	25/09/2020	104640	Artref Pty Ltd	Stationery -Admin	\$308.00
E043803	25/09/2020	104843	Kestral Computing Pty Ltd	Annual software licence & support - Bold Park Aqua	\$22,472.27
E043804	25/09/2020	104866	Altus Planning & Appeals	Professional services re: SAT appeals	\$412.50
E043805	25/09/2020	105121	Total Aqua - Mandurah	Water Filter service - WCC	\$235.00

<b>Payment Number</b>	<b>Payment Date</b>	<b>Payee Code</b>	<b>Name/Reference</b>	<b>Description</b>	<b>Payment Amount</b>
E043806	25/09/2020	105296	Kbest Marine Pty Ltd T/As Taskers	Install shade sails - WCC	\$264.00
E043807	25/09/2020	105303	Brownes Foods Operations Pty Limited	Café provisions - Bold Park Café	\$327.51
E043808	25/09/2020	105309	Minbari Pty Ltd T/As Wembley Autocare	Service Town vehicle - Rangers	\$1,177.00
E043809	25/09/2020	105411	Flick Anticimex Pty Ltd	Pest control various locations - Aug 2020	\$1,267.87
E043810	25/09/2020	105429	GFG Temporary Assist - Glen Flood Group Pty Ltd T/As	Temporary labour hire - Infrastructure	\$4,087.91
E043811	25/09/2020	105522	Australian Airconditioning Services Pty Ltd	Heat pump service/maintenance - Bold Park Aquatic	\$2,545.40
E043812	25/09/2020	105557	Managed IT Pty Ltd	Computer software - IT	\$55.00
E043813	25/09/2020	105581	System Maintenance - Ballantyne Commercial Property Services Pty Ltd	Hot water storage unit/solar panel maintenance che	\$1,407.45
E043814	25/09/2020	105585	Boulevard IGA (The)	Café provisions - Bold Park Café	\$21.49
E043815	25/09/2020	105620	M2M One Pty Ltd	Elevator Telstra SIM cards - WGC, Library	\$39.60
E043816	25/09/2020	105636	Icon Logic Pty Ltd	Equipment maintenance Sep 2020 - Bold Park Aquatic	\$572.00
E043817	25/09/2020	105667	Landscape Elements Pty Ltd	Turf maintenance Aug 2020 various locations	\$149.60
E043818	25/09/2020	105712	Coolbinia Newspaper Delivery	Supply newspapers - Admin	\$104.65
E043819	25/09/2020	105745	Agora Unit Trust t/as Agora Property Group	Professional services re: Consultancy Floreat Teach	\$1,980.00
E043820	25/09/2020	105793	Kyocera Document Solutions Australia Pty Ltd	Supply replacement photocopier - Admin	\$16,445.00
E043821	25/09/2020	105818	Holton Connor Architects & Planners	Professional services re: Architectural consultancy	\$14,217.50
E043822	25/09/2020	105852	On Tap Plumbing & Gas Pty Ltd	Plumbing repairs toilet facilities - Wembley Sports P	\$985.38
E043823	25/09/2020	105905	Enlighten Press Holdings Pty Ltd	Stock purchase - Library	\$498.88
E043824	25/09/2020	400003	Amer Sports Australia Pty Ltd	Stock purchase - WGC	\$799.43
E043825	25/09/2020	400004	American Golf Supplies	Stock purchase - WGC	\$3,860.10
E043826	25/09/2020	400005	Andrew Graham Thomas	Golf lesson/tuition - WGC	\$3,229.39
E043827	25/09/2020	400012	Brad Parker	Golf lesson/tuition - WGC	\$2,411.03
E043828	25/09/2020	400013	Callaway Golf South Pacific Pty Ltd	Stock purchase - WGC	\$7,416.39
E043829	25/09/2020	400021	D.S.J. Enterprises	Stock purchase - WGC	\$332.20
E043830	25/09/2020	400024	David Moore	Golf lesson/tuition - WGC	\$1,658.49
E043831	25/09/2020	400027	Dynacast Golf Factory Pty Ltd	Stock purchase - WGC	\$2,041.04
E043832	25/09/2020	400031	Golf Imports	Stock purchase - WGC	\$1,163.92
E043833	25/09/2020	400035	Luxottica Australia	Stock purchase - WGC	\$7,574.56
E043834	25/09/2020	400038	Mizuno Corporation Australia Pty Ltd	Stock purchase - WGC	\$9,497.54
E043835	25/09/2020	400044	Redback Sports	Stock purchase - WGC	\$677.49
E043836	25/09/2020	400048	Richard Brain	Golf lesson/tuition - WGC	\$1,401.23
E043837	25/09/2020	400061	Taylor Made Golf Australia Pty Ltd	Stock purchase - WGC	\$13,251.75
E043838	25/09/2020	400062	Toro Australia Group Sales Pty Ltd	Supply filters - WGC	\$470.24
E043839	25/09/2020	400068	Stihl Shop - CSP Group	Minor equipment purchase - WGC	\$349.00
E043840	25/09/2020	400073	Bunnings Building Supplies Pty Ltd	Hardware items - WGC	\$88.20
E043841	25/09/2020	400074	Winc Australia Pty Ltd	Stationery - WGC	\$338.60
E043842	25/09/2020	400092	Acushnet Australia Pty Ltd	Stock purchase - WGC	\$9,415.25
E043843	25/09/2020	400098	Dickies Tree Service	Tree removal due to storm damage - WGC	\$13,156.00
E043844	25/09/2020	400099	George Campbell	Golf lesson/tuition - WGC	\$530.23
E043845	25/09/2020	400109	Sage Software Australia Pty Ltd	Software licence & support - WGC	\$132.00
E043846	25/09/2020	400112	Puma Australia Pty Ltd	Stock purchase - WGC	\$2,273.23
E043847	25/09/2020	400118	Ambrose Estate WA	Cleaning contract - WGC	\$7,322.66

<b>Payment Number</b>	<b>Payment Date</b>	<b>Payee Code</b>	<b>Name/Reference</b>	<b>Description</b>	<b>Payment Amount</b>
E043848	25/09/2020	400134	Tracker Group Pty Ltd	Software support - WGC	\$1,155.00
				Sub Total	\$291,726.19

**PAYMENT ISSUED LISTING PERIOD ENDING October 2020**

<b>EFT Number</b>	<b>EFT Date</b>	<b>Name/Reference</b>	<b>Description</b>	<b>EFT Amount</b>
<b><u>Investments Listing</u></b>				
INV1210	06-Oct-20	Suncorp	Investment of Municipal Fund for 6 Months (Rollover)	1,537,591.50
INV1211	07-Oct-20	Westpac	Investment of Municipal Fund for 12 Months (New)	1,000,000.00
INV1212	07-Oct-20	Westpac	Investment of Reserve Fund for 8 Months (New)	2,000,000.00
INV1213	13-Oct-20	Suncorp	Investment of Endowment Fund for 5 Months (Rollover)	1,009,297.53
INV1214	21-Oct-20	Westpac	Investment of Reserve Fund for 12 Months (Rollover)	3,000,000.00
INV1215	26-Oct-20	Westpac	Investment of Reserve Fund for 12 Months (Rollover)	2,000,000.00
			Subtotal:	<b>\$ 10,546,889.03</b>
<b><u>Supplier Direct Bank Debit Listing</u></b>				
Sup569	01-Oct-20	Commonwealth Bank	Acquisition 39 Southport Street West Leederville Loan	\$ 3,293.62
Sup570	06-Oct-20	Commonwealth Bank	Mastercard September 2020	\$ 7,706.04
Sup571	21-Oct-20	Viva Energy	Fuel September 2020	\$ 14,297.85
			Subtotal:	<b>\$ 25,297.51</b>
<b><u>WGC Direct Bank Debit Listing</u></b>				
<b>DD595</b>	<b>02.09.2020</b>	Capital Finance	Cart Lease	13,307.32
<b>DD596</b>	<b>03.09.2020</b>	Capital Finance	Cart Lease	4,423.71
<b>DD597</b>	<b>03.09.2020</b>	Capital Finance	Cart Lease	911.55
<b>DD598</b>	<b>07.09.2020</b>	Fin Rent	Plant	3,544.20
<b>DD599</b>	<b>14.09.2020</b>	MiClub	IT	4,361.50
<b>DD600</b>	<b>30.09.2020</b>	Delage Landen	Plant	21,792.06
			Subtotal:	<b>\$ 48,340.34</b>
<b><u>Payroll EFTs Issued Listing</u></b>				
1231	6/10/2020	Term Pay	Employee Resignation	\$ 53,518.25
1232	13/10/2020	Net Pay	Net Wages (28/09/2020-11/10/2020)	\$ 464,166.78
1233	15/10/2020	Rebank Pay	Employee wages	\$ 2,333.51
1234	27/10/2020	Net Pay	Net Wages (12/10/2020-25/10/2020)	\$ 483,833.29
1235	28/10/2020	Rebank Pay	Employee wages	811.13
			Subtotal:	<b>\$ 1,004,662.96</b>
			<b>Total</b>	<b>\$ 11,625,189.84</b>



Town of  
**Cambridge**

**COMMUNITY AND RESOURCES  
COMMITTEE MEETING**

**MONDAY 16 NOVEMBER 2020**

**ATTACHMENT TO ITEM CR20.146**

**INVESTMENT SCHEDULE – OCTOBER 2020**

**TOWN OF CAMBRIDGE**  
**CONSOLIDATED INVESTMENTS**  
For the month of Oct 2020

<b>Investments</b>	<b>Ending Balance 30 September 2020</b>	<b>Ending Balance 31 October 2020</b>	<b>Monthly Income</b>
Direct Investments	\$60,804,261.18	\$60,791,060.16	\$47,495.47
	<u>\$60,804,261.18</u>	<u>\$60,791,060.16</u>	<u>\$47,495.47</u>
<b>Council's Accounts</b>	<b>Ending Balance 30 September 2020</b>	<b>Ending Balance 31 October 2020</b>	<b>Monthly Income</b>
Municipal	\$25,569,018.82	\$25,570,931.23	\$21,496.25
Reserves	\$32,709,714.44	\$32,685,303.48	\$24,212.10
Endowment Lands	\$2,525,527.92	\$2,534,825.45	\$1,787.12
	<u>\$60,804,261.18</u>	<u>\$60,791,060.16</u>	<u>\$47,495.47</u>

Sorted by Account

Cambridge Municipal Account	30-Sep-20	31-Oct-20	Monthly Transactions		Monthly Income	Fin YTD Income	Monthly Performance (actual)	Monthly Performance * (annualised)	Direct Investment Purchase Price
			Deposits	Redemptions					
NAB TD due 7 Jul 20					\$0.00	\$230.14			
Macquarie TD due 21 Jul 20					\$0.00	\$883.24			
Suncorp TD due 15 Sep 20					\$0.00	\$4,216.44			
Suncorp TD due 6 Oct 20	\$1,525,421.56			\$1,525,421.56	\$334.34	\$6,486.17			
Macquarie TD due 27 Oct 20	\$1,010,257.53			\$1,010,257.53	\$1,223.38	\$5,552.27			
ANZ TD due 10 Nov 20	\$1,000,000.00	\$1,000,000.00			\$1,265.48	\$5,021.10		1.49%	
Macquarie TD due 7 Dec 20	\$1,505,967.12	\$1,505,967.12			\$2,174.37	\$8,627.34		1.70%	
Suncorp TD due 15 Dec 20	\$1,000,000.00	\$1,000,000.00			\$1,443.84	\$5,728.77		1.70%	
Macquarie TD due 21 Dec 20	\$1,515,830.14	\$1,515,830.14			\$2,188.61	\$8,683.84		1.70%	
NAB TD due 18 Jan 21	\$1,006,709.59	\$1,006,709.59			\$837.91	\$3,324.62		0.98%	
NAB TD due 1 Feb 21	\$1,004,832.88	\$1,004,832.88			\$725.41	\$2,737.83		0.85%	
NAB TD due 9 Feb 21	\$1,000,000.00	\$1,000,000.00			\$509.59	\$608.22		0.60%	
Suncorp TD due 16 Feb 21	\$1,000,000.00	\$1,000,000.00			\$594.52	\$1,304.11		0.70%	
NAB TD due 23 Feb 21	\$1,000,000.00	\$1,000,000.00			\$594.52	\$978.08		0.70%	
Suncorp TD due 16 Mar 21	\$1,000,000.00	\$1,000,000.00			\$1,358.90	\$5,391.78		1.60%	
NAB TD due 16 Mar 21	\$1,000,000.00	\$1,000,000.00			\$594.52	\$978.08		0.70%	
ANZ TD due 16 Mar 21	\$1,000,000.00	\$1,000,000.00			\$560.55	\$831.78		0.66%	
Suncorp TD due 4 Apr 21		\$1,537,591.50	\$1,537,591.50		\$657.16	\$657.16		0.60%	
NAB TD due 20 Apr 21	\$1,000,000.00	\$1,000,000.00			\$569.04	\$862.74		0.67%	
NAB TD due 27 Apr 21	\$1,000,000.00	\$1,000,000.00			\$620.00	\$1,360.00		0.73%	
ANZ TD due 4 May 21	\$1,000,000.00	\$1,000,000.00			\$577.53	\$856.99		0.68%	
ANZ TD due 18 May 21	\$1,000,000.00	\$1,000,000.00			\$577.53	\$856.99		0.68%	
NAB TD due 25 May 21	\$1,000,000.00	\$1,000,000.00			\$603.01	\$992.05		0.71%	
NAB TD due 22 Jun 21	\$1,000,000.00	\$1,000,000.00			\$594.52	\$901.37		0.70%	
NAB TD due 6 Jul 21	\$2,000,000.00	\$2,000,000.00			\$1,273.97	\$2,424.66		0.75%	
NAB TD due 17 Aug 21	\$1,000,000.00	\$1,000,000.00			\$543.56	\$648.77		0.64%	
Westpac TD due 27 Sep 21	\$1,000,000.00	\$1,000,000.00			\$594.52	\$709.59		0.70%	
Westpac TD due 7 Oct 21		\$1,000,000.00	\$1,000,000.00		\$479.45	\$479.45		0.70%	
<b>Total Muni Account</b>	<b>\$25,569,018.82</b>	<b>\$25,570,931.23</b>	<b>\$2,537,591.50</b>	<b>\$2,535,679.09</b>	<b>\$21,496.25</b>	<b>\$72,333.57</b>			
<b>Cambridge Reserve</b>									
Emerald Series 2006-1	\$516,520.95	\$516,520.95			\$240.62	\$955.91		0.55%	\$1,000,000.00
Macquarie TD due 3 Aug 20					\$0.00	\$2,968.51			
NAB TD due 4 Aug 20					\$0.00	\$1,086.53			
Suncorp TD due 18 Aug 20					\$0.00	\$4,192.23			
Macquarie TD due 25 Aug 20					\$0.00	\$2,733.54			
NAB TD due 1 Sep 20					\$0.00	\$3,439.38			
Macquarie TD due 1 Sep 20					\$0.00	\$2,397.44			
Suncorp TD due 29 Sep 20					\$0.00	\$4,191.79			
NAB TD due 6 Oct 20	\$2,000,000.00			\$2,000,000.00	\$419.18	\$8,132.05			
Macquarie TD due 20 Oct 20	\$3,024,410.96			\$3,024,410.96	\$1,102.05	\$6,438.26			
NAB TD due 26 Oct 20	\$2,000,000.00			\$2,000,000.00	\$1,301.37	\$6,090.41			
Macquarie TD due 24 Nov 20	\$2,000,000.00	\$2,000,000.00			\$2,717.81	\$10,783.56		1.60%	
Macquarie TD due 4 Dec 20	\$2,000,000.00	\$2,000,000.00			\$2,802.74	\$11,120.55		1.65%	
ANZ TD due 14 Dec 21	\$1,000,000.00	\$1,000,000.00			\$687.95	\$2,729.59		0.81%	
ANZ TD due 4 Jan 21	\$1,016,646.58	\$1,016,646.58			\$708.03	\$2,809.29		0.82%	
ANZ TD due 2 Mar 21	\$1,000,000.00	\$1,000,000.00			\$713.42	\$2,830.68		0.84%	
ANZ TD due 30 Mar 21	\$1,000,000.00	\$1,000,000.00			\$586.03	\$1,285.48		0.69%	
ANZ TD due 13 Apr 21	\$1,000,000.00	\$1,000,000.00			\$586.03	\$1,285.48		0.69%	
ANZ TD due 11 May 21	\$2,000,000.00	\$2,000,000.00			\$1,307.95	\$3,164.38		0.77%	
Westpac TD due 26 May 21			\$2,000,000.00		\$821.92	\$821.92		0.60%	
Westpac TD due 1 Jun 21	\$1,594,508.00	\$1,594,508.00			\$1,218.82	\$4,835.95		0.90%	
ANZ TD due 8 Jun 21	\$1,000,000.00	\$1,000,000.00			\$662.47	\$1,901.92		0.78%	
NAB TD due 29 Jun 21	\$2,000,000.00	\$2,000,000.00			\$1,613.70	\$6,402.74		0.95%	

NAB TD due 20 Jul 21	\$2,031,012.70	\$2,031,012.70			\$1,293.73	\$2,545.72	0.75%
NAB TD due 3 Aug 21	\$1,017,859.09	\$1,017,859.09			\$734.81	\$2,109.62	0.85%
Westpac TD due 5 Aug 21	\$2,000,000.00	\$2,000,000.00			\$1,358.90	\$3,857.53	0.80%
Suncorp TD due 31 Aug 21	\$1,008,756.16	\$1,008,756.16			\$514.05	\$547.22	0.60%
Westpac TD due 7 Sep 21	\$3,500,000.00	\$3,500,000.00			\$2,080.82	\$3,423.29	0.70%
Westpac TD due 21 Oct 21		\$3,000,000.00	\$3,000,000.00		\$542.47	\$542.47	0.60%
Westpac TD due 26 Oct 21		\$2,000,000.00	\$2,000,000.00		\$197.26	\$197.26	0.60%
<b>Total Reserve Account</b>	<b>\$32,709,714.44</b>	<b>\$32,685,303.48</b>	<b>\$7,000,000.00</b>	<b>\$7,024,410.96</b>	<b>\$24,212.10</b>	<b>\$105,820.69</b>	
<b>Cambridge Endowment Account</b>							
NAB TD due 8 Sep 20					\$0.00	\$2,589.68	
Suncorp TD due 13 Oct 20	\$1,000,000.00			\$1,000,000.00	\$552.33	\$4,786.85	
Suncorp TD due 9 Mar 21		\$1,009,297.53	\$1,009,297.53		\$288.96	\$288.96	0.55%
NAB TD due 28 Jun 21	\$1,525,527.92	\$1,525,527.92			\$945.83	\$1,647.57	0.73%
<b>Total Endowment Account</b>	<b>\$2,525,527.92</b>	<b>\$2,534,825.45</b>	<b>\$1,009,297.53</b>	<b>\$1,000,000.00</b>	<b>\$1,787.12</b>	<b>\$9,313.06</b>	
<b>Total Portfolio</b>	<b>\$60,804,261.18</b>	<b>\$60,791,060.16</b>	<b>\$10,546,889.03</b>	<b>\$10,560,090.05</b>	<b>\$47,495.47</b>	<b>\$187,467.31</b>	<b>UBS Bank Bill Index 0.13%</b>

\* Performance figures for the FRN are average coupon annualised

Sorted by Investment

	30-Sep-20 Face Value	31-Oct-20 Face Value	Monthly Transactions		Monthly Income	Fin YTD Income	Monthly Performance (actual)	Monthly Average Coupon (annualised)	Direct Investment Purchase Price
			Deposits	Redemptions					
Emerald Series 2006-1	\$516,520.95	\$516,520.95			\$240.62	\$955.91		0.55%	\$1,000,000.00
ANZ TD	\$12,016,646.58	\$12,016,646.58			\$8,232.96	\$23,573.67		0.81%	
Macquarie TD	\$11,056,465.75	\$7,021,797.26		\$4,034,668.49	\$12,208.95	\$60,188.54		1.66%	
NAB TD	\$23,585,942.18	\$18,585,942.18		\$4,000,000.00	\$14,369.19	\$50,799.86		0.76%	
Suncorp TD	\$6,534,177.72	\$6,555,645.19	\$2,546,889.03	\$2,525,421.56	\$5,744.10	\$37,791.47		0.93%	
Westpac TD	\$7,094,508.00	\$16,094,508.00	\$8,000,000.00		\$6,699.64	\$14,157.87		0.69%	
	<b>\$60,804,261.18</b>	<b>\$60,791,060.16</b>	<b>\$10,546,889.03</b>	<b>\$10,560,090.05</b>	<b>\$47,495.47</b>	<b>\$187,467.31</b>			
<b>Total Portfolio</b>	<b>\$60,804,261.18</b>	<b>\$60,791,060.16</b>	<b>\$10,546,889.03</b>	<b>\$10,560,090.05</b>	<b>\$47,495.47</b>	<b>\$187,467.31</b>			
<b>Accrued Interest</b>		<b>\$168,423.69</b>						0.13%	
<b>Total Adjusted Investment</b>		<b>\$60,959,483.85</b>							
							<b>UBS Bank Bill Index</b>		



Town of  
**Cambridge**

**COMMUNITY AND RESOURCES  
COMMITTEE MEETING**

**MONDAY 16 NOVEMBER 2020**

**ATTACHMENT  
TO ITEM CR20.148**

**COUNCIL REGISTER OF DELEGATED AUTHORITY  
2020-2021**



# Register of Delegated Authority

Reviewed and Presented to Council  
**24 November 2020**

**GOVERNANCE MASTER REGISTER**  
Includes CEO and Council Amendments to November 2020

*Printed 13 November 2020*

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# INTRODUCTION

## 1. A Background to Delegations and Authorisations

Council is responsible for the overall government of the Town's affairs and the performance of the Town's functions. The Chief Executive Officer (CEO) is responsible for the management of the day to day operations of the Town. Delegations are made by the Council and the CEO under relevant legislation in order to enable the efficient and orderly governance of the Town.

Delegations and Authorisations are the means by which decision making bodies can administer power to undertake certain statutory functions.

A **delegation** is the conferral of the ability to exercise a power/duty to a person/body from another that is vested with the responsibility to exercise that statutory function.

An **authorisation** is the designation of an officer or a body as an entity that is capable of exercising a specific statutory power.

When one exercises delegated authority they do so "on behalf" of the delegator, and in doing so, the person or body exercising delegated authority forms the relevant state of mind to make the decision "on behalf" of the delegator. An authorised person or body exercises a statutory function in their own right.

The Western Australian local government statutory regime also provides for the Council and CEO to "act through" other officers, agents and bodies to achieve statutory functions. "Acting through" is not the exercise of delegated authority, or an authorised power, and must be handled differently.

The Department of Local Government, Sport and Cultural Industries provide a guideline on delegation to local governments in Western Australia (Local Government Operational Guidelines, Number 17 – January 2007 - Delegations).

## 2. Purpose of Delegating Authority

The *Local Government Act 1995* (the Act) allows for a local government to delegate to the CEO the exercise of any of its powers or the discharge of any of its duties under the Act in order to effectively manage the day to day operations of the Town.

The principal consideration for a local government when deciding if it should delegate a power or duty, is whether the delegation will improve the efficiency of the local government's operations, whilst ensuring that its policies are consistently implemented.

All delegations made by the Council must be by absolute majority decision [s5.42(1)]. The CEO in turn is empowered by the Act to on-delegate (sub delegate) any of these functions to another employee [s5.44(1)].

This Delegated Authority Register must be reviewed by Council on an annual in accordance with the Act.



### 3. Delegation by the Chief Executive Officer

The Act allows for the CEO to delegate any of the powers to another employee [s5.44(1)]. This must be done in writing [s5.44(2)]. The Act allows for the CEO to place conditions on any delegations if desired [s5.44(4)]. A register of delegations relevant to the CEO and other employees is to be kept and reviewed at least once every financial year [s5.46(1) and (2)].

### 4. Matters Which Cannot Be Delegated

The following are decisions that cannot be delegated by Council to the CEO under the Act [s5.43].

- (a) Any power or duty that requires a decision of an absolute majority or special (75%) majority of the local government;
- (b) Accepting a tender which exceeds an amount determined by the local government;
- (c) Appointing an auditor;
- (d) Acquiring or disposing of any property valued at an amount determined by the local government;
- (e) Any of the local government's powers under sections 5.98, 5.98A, 5.99A, 5.99 and 5.100 of the Act;
- (f) Borrowing money on behalf of the local government;
- (g) Hearing or determining an objection of a kind referred to in section 9.5;
- (h) Any power or duty that requires the approval of the Minister or Governor; or
- (i) Such other duties or powers that may be prescribed by the Act.

There is no power for a person other than the CEO to delegate a power [s5.44(1)].

### 5. Exercise of Delegations and Standard Conditions

If a person is exercising a power or duty that they have been delegated, the Act requires that records be kept whenever the delegated authority is used [s5.46(3)].

Each power of delegation may be subject to its own conditions, and these are included in the specific delegation. However, standard conditions are applicable to all delegations, and any person proposing to exercise a power under delegated authority shall comply with the following standard conditions of delegation:

1. Actual decisions relating to the matter delegated shall be made by the person nominated in the delegation. However, it is understood that other staff may carry out administrative and technical work relating to those decisions.
2. Compliance with all relevant legislative requirements, Local Laws, Council Policies, Resolutions of Council, and the Business Management System Procedures.



3. Delegated authority cannot be exercised where a financial interest or an interest affecting impartiality is evident. If a conflict of interest exists, it must be declared and dealt with in accordance with the Act.
4. It is a statutory requirement to maintain a record of each decision made under delegated authority. Documents relating to delegated authority decisions shall, as a minimum, record:
  - (a) Date the decision was exercised;
  - (b) Name of the person/Committee exercising the decision;
  - (c) Description of how the person exercised the power or discharged the duty, including where appropriate, any directions to other persons to carry out work associated with the decision unless those directions are included in policies, management procedures or the delegated authority register;
  - (d) The persons or classes of persons, other than Council or Committee Members or employees of the local government, directly affected by the exercise of the power or the discharge of the duty [*Local Government (Administration) Regulations 1996, Clause 19*].
5. Wherever possible, the requirements of Clause 4 above shall be incorporated into administrative documents such as memos, file notes, cheque vouchers, etc.
6. A delegation authorising the expenditure of Town funds is to be limited to authorising expenditure within the budget approved by the Council.
7. Instruments dealing with interests in land (eg transfers, leases, mortgages and caveats) are to be signed under the Common Seal of the Town and are to be registered in the Common Seal Register.

A person to whom a power is delegated under the Act is considered to be a '*designated employee*' under section 5.74(b) of the Act, and is required to complete a Primary Return within 90 days of becoming a designated employee, and thereafter complete an Annual Return each year.

**JOHN GIORGI JP**  
**CHIEF EXECUTIVE OFFICER**



## REGISTER OF DELEGATED AUTHORITY

The following are the delegations made by the Council of the Town of Cambridge under section 5.42 of the *Local Government Act 1995* (WA), section 127 of the *Building Act 2011* (WA), section 48 of the *Bush Fires Act 1954* (WA), section 44 of the *Cat Act 2011* (WA), section 10AA of the *Dog Act 1976* (WA), section 118 of the *Food Act 2008* (WA), section 16 of the *Graffiti Vandalism Act 2016* (WA), *Liquor Control Act 1998*, section 21 of the *Public Health Act 2016* (WA), Schedule 2 clause 82(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015* (WA), *Environmental Protection Act 1986*, *Main Roads Act 1930*, and *Road Traffic (Vehicles) Act 2012*.



## Part 1 – Local Government Act 1995 and Regulations

### Division 1.1 – Council to the Audit Committee

#### 1.1.1 Audit Committee

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.16 - Delegation of some powers and duties to certain committees. s7.1B - Delegation of some powers and duties to audit committees.
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s7.12A(2), (3) and (4) - Duties of local government with respect to audits.
<b>Delegated to:</b>	<b>AUDIT COMMITTEE</b>
<b>Function Delegated:</b>	Authority to meet with the Town's Auditor at least once every year on behalf of the Council [s.7.12A(2)].
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>The Audit Committee is only permitted to meet with the Auditor.</li> <li>Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	Nil. Sub delegation is prohibited by s7.1B.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>Department of Local Government, Sport and Cultural Industries - Operational Guideline No 09 - The appointment, function and responsibilities of Audit Committees.</li> <li>Audit Committee Terms of Reference.</li> </ol>
<b>Record Keeping:</b>	Audit Committee Minutes shall record and identify each decision made under this Delegation, in accordance with the requirements of Administration Regulation 19.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



## Division 1.2 – Council to the Chief Executive Officer

### 1.2.1 Appoint Authorised Persons

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.42 – Delegation of some powers or duties to the CEO. s5.43 – Limits on delegations to the CEO.
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s3.24 - Authorisation of persons under this subdivision. s9.10 - Appointment of Authorised Persons.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>1. Authority to appoint persons or classes of persons as Authorised Persons for the purpose of fulfilling prescribed functions within the <i>Local Government Act 1995</i> and its subsidiary legislation, including <i>Local Government Act Regulations</i>, the <i>Local government (Miscellaneous Provisions) Act 1960</i> and Local Laws made under the <i>Local Government Act</i>.</li> <li>2. Authority to appoint Authorised Persons for the purposes of the <i>Graffiti Vandalism Act 2016 (WA)</i>.</li> <li>3. Authority to appoint Approved Officers and Authorised Officers for the purposes of the <i>Building Act 2011</i> and <i>Building Regulations 2012</i>.  <i>(Building Regulation 70(2) prescribes s9.10 of the Local Government Act 1995 as the enabling power for the appointment of 'Authorised Officers'.)</i></li> <li>4. Authority to appoint Authorised Persons for the purposes of the <i>Litter Act 1979 (WA)</i>.</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. Each appointed Authorised Person is to be recorded on the Register of Authorised Persons, issued a certificate detailing their authorisation and an identity card.</li> <li>2. Only persons who are appropriately qualified and trained may be appointed as Authorised Persons.</li> <li>3. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 - CEO may delegate some powers and duties to other employees.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	Not applicable.
<b>Record Keeping:</b>	<ol style="list-style-type: none"> <li>1. Instruments or Certificates of Authorisation: Copies are to be retained on the Authorised Person's personnel file.</li> </ol>



	<ol style="list-style-type: none"><li>2. A record of each Authorisation is to be retained in the Authorised Persons Register, retained as a Local Government Record.</li><li>3. Exercise of authority to be recorded in ECM.</li></ol>
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Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



## 1.2.2 Compensation for Damage Incurred when Performing Executive Function

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.42 - Delegation of some powers or duties to the CEO.
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s3.22(1) - Compensation. s3.23 - Arbitration.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>In accordance with s3.22 procedures, assess and determine the extent of damage to private property arising directly from performance of executive functions and make payment of compensation.</li> <li>Where compensation is unable to be determined and agreed between parties, give effect to arbitration in accordance with s3.23.</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>Delegation is limited to settlements which do not exceed a material value of \$10,000.</li> <li>Settlements under insurance policy are not included.</li> <li>That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 - CEO may delegate some powers and duties to other employees.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	Not Applicable.
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

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1	Approved	24.04.2018	Council	10.4	Adopted
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3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



### 1.2.3 Notices Requiring Certain Things to be done by Owner or Occupier of Land

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.42 - Delegation of some powers or duties to the CEO.
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s3.25 - Notices requiring certain things to be done by owner or occupier of land. s3.26 - Additional powers when notices given.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>1. Give a person who is the owner and occupier of land a notice in writing requiring a person to do a thing required under Schedule 3.1 of the <i>Local Government Act 1995</i>.</li> <li>2. Do anything necessary to achieve the purpose for which the notice was given under s3.25.</li> <li>3. Recover the cost from the person who failed to comply with the notice given under s3.25 of anything done by the Town to meet the requirements of that notice.</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. Delegated authority may only be used where there is a contravention of applicable legislation, a nuisance is created, or imminent or substantial risk to health, safety or property.</li> <li>2. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>3. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 - CEO may delegate some powers and duties to other employees.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	Not applicable.
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
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4		24.11.2020	Council		Annual Review



## 1.2.4 Powers of Entry

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.42 – Delegation of some powers or duties to the CEO.
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s3.28 – When this subdivision applies. s3.32 – Notice of entry. s3.33 – Entry under warrant. s3.34 – Entry in an emergency. s3.36 – Opening fences.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>1. Authority to exercise powers to enter onto land to perform any of the local government functions under this Act, other than entry under a local law.</li> <li>2. Authority to give notice of entry.</li> <li>3. Authority to seek and execute an entry under warrant.</li> <li>4. Authority to execute entry in an emergency, using such force as is reasonable.</li> <li>5. Authority to give notice and effect entry by opening a fence.</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. Delegated authority may only be used, where there is imminent or substantial risk to public safety or property.</li> <li>2. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>3. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO may delegate some powers and duties to other employees.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. <i>Local Government Act 1995:</i> <ol style="list-style-type: none"> <li>(a) s9.10 – Appointment of authorised persons (refer also s3.32(2)).</li> <li>(b) Part 3, Division 3, Subdivision 3 – prescribes statutory processes for Powers of Entry.</li> </ol> </li> </ol>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.



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4		24.11.2020	Council		Annual Review



## 1.2.5 Declare Vehicle is Abandoned Vehicle Wreck

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.42 – Delegation of some powers or duties to the CEO.
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s3.40(A) – Abandoned vehicle wreck may be taken.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	Declare that an impounded vehicle is an abandoned vehicle wreck.
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>2. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> <li>3. Disposal of a declared abandoned vehicle wreck to be undertaken in accordance with Delegated Authority 1.2.6 – Confiscated or Uncollected Goods, or alternatively referred for Council decision.</li> </ol>
<b>Express Power to Sub Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – May delegate some powers and duties to other employees.
<b>Sub Delegate(s):</b>	<ol style="list-style-type: none"> <li>1. <b>Manager Regulatory Services.</b></li> <li>2. <b>Coordinator Ranger Services and Community Safety.</b></li> <li>3. <b>Senior Ranger.</b></li> <li>4. <b>All Rangers.</b></li> </ol>
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>1. That all action and/or delegation shall be in compliance with the relevant council Policies (or Local Government Policies, where determined by the CEO).</li> <li>2. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Compliance Links:</b>	Not applicable.
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

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## 1.2.6 Confiscated or Uncollected Goods

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.42 – Delegation of some powers or duties to the CEO.
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s3.46 – Goods may be withheld until costs paid. s3.47 – Confiscated or uncollected goods, disposal of. s3.48 – Impounding expenses, recover of.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>1. Authority to refuse to allow goods impounded under s3.39 or s3.40A to be collected until the costs of removing, impounding and keeping them have been paid to the local government.</li> <li>2. Authority to sell or otherwise dispose of confiscated or uncollected goods or vehicles that have been ordered to be confiscated under s3.43.</li> <li>3. Authority to recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods.</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. 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.</li> <li>2. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>3. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO may delegate some powers and duties to other employees.
<b>Sub Delegate(s):</b>	<ol style="list-style-type: none"> <li>1. <b>All Directors.</b></li> <li>2. <b>Manager Regulatory Services.</b></li> <li>3. <b>Coordinator Ranger Services and Community Safety.</b></li> <li>4. <b>Senior Ranger and all Rangers.</b></li> </ol>
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>1. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>2. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegation, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. <i>Local Government Act 1995:</i> <ol style="list-style-type: none"> <li>(a) s3.58 – Disposing of Property – applies the sale of goods under.</li> <li>(b) s3.47 as if they were property referred to in that section.</li> </ol> </li> </ol>



<b>Record Keeping</b>	Exercise of authority to be recorded in ECM.
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4		24.11.2020	Council		Annual Review



## 1.2.7 Disposal of Sick or Injured Animals

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.42 – Delegation of some powers or duties to the CEO.
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s3.47A – Sick or injured animals, disposal of. s3.48 – Impounding expenses, recover of.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>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.</li> <li>Authority to recover expenses incurred for removing, impounding and disposing of confiscated or uncollected goods.</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>Delegation only to be used where reasonable efforts to identify and contact the owner have failed.</li> <li>That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO may delegate some powers and duties to other employees.
<b>Sub Delegate(s):</b>	<ol style="list-style-type: none"> <li><b>Manager Regulatory Services.</b></li> <li><b>Coordinator Ranger and Community Safety Services.</b></li> <li><b>Senior Ranger and All Rangers.</b></li> </ol>
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li><i>Local Government Act 1995:</i> (a) s3.47A – Sets out conditions for destruction.</li> </ol>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

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1	Approved	24.04.2018	Council	10.4	Adopted
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4		24.11.2020	Council		Annual Review



## 1.2.8 Close of Thoroughfares to Vehicles

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.42 – Delegation of some powers or duties to the CEO.
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s3.50 – Closing certain thoroughfares to vehicles. s3.50A – Partial closure of thoroughfares for repairs or maintenance. s3.51 – Affected owners to be notified of certain proposals.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>1. Authority to close a thoroughfare (wholly or partially) to vehicles or particular classes of vehicles for a period not exceeding 4 weeks.</li> <li>2. Authority to determine to close a thoroughfare for a period exceeding 4 weeks, and before doing so, to: <ol style="list-style-type: none"> <li>(a) Give public notice, written notice to the Commissioner of Main Roads, and written notice to prescribed persons and persons that own prescribed land; and</li> <li>(b) Consider submissions relevant to the road closure(s) proposed.</li> </ol> </li> <li>3. Authority to revoke an order to close a thoroughfare.</li> <li>4. Authority to partially and temporarily close a thoroughfare without public notice for repairs or maintenance, where it is unlikely to have significant adverse effect on users of the thoroughfare.</li> <li>5. Before doing anything to which s3.51 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.</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. If, under s3.50(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.</li> <li>2. Maintain access to adjoining land.</li> </ol>
<b>Express Power to Sub Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO may delegate some powers and duties to other employees.
<b>Sub Delegate(s):</b>	<ol style="list-style-type: none"> <li>1. <b>Director Infrastructure and Works.</b></li> <li>2. <b>Manager Technical Services and Works.</b></li> <li>3. <b>Director Planning and Development.</b></li> <li>4. <b>Manager Regulatory Services.</b></li> </ol>
<b>CEO Conditions on this Sub Delegation:</b>	Nil.
<b>Compliance Links:</b>	Not applicable.
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.



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4		24.11.2020	Council		Annual Review



## 1.2.9 Control Reserves and Certain Unvested Facilities

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.42 – Delegation of some powers or duties to the CEO.
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s3.53(3) – Control of certain unvested facilities. s3.54(1) – Reserves under control of local government.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>Authority to agree the method for control and management of an unvested facility which is partially within 2 or more local government districts.</li> <li>Authority to do anything for the purpose of controlling and managing land under the control and management of the Town, that the Town could do under s5 of the <i>Parks and Reserves Act 1895</i>.</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>Limited to matters where the financial implications do not exceed a relevant and current budget allocation.</li> <li>That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO may delegate some powers and duties to other employees.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	Not applicable.
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

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## 1.2.10 Obstruction of Footpaths and Thoroughfares

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.42 – Delegation of some powers or duties to the CEO.
<b>Express Power or Duty Delegated:</b>	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> Reg 5(2) – Interfering with, or taking from, local government land. Reg 6 – Obstruction of public thoroughfare by things placed and left. Reg 7A – Obstruction of public thoroughfare by fallen things. Reg 7 – Encroaching on public thoroughfare.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>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: <ol style="list-style-type: none"> <li>(a) Prevent damage to the footpath; or</li> <li>(b) Prevent inconvenience to the public or danger from falling materials.</li> </ol> </li> <li>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.</li> <li>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.</li> <li>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.</li> <li>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.</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. Actions under this Delegation must comply with procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>.</li> <li>2. Permission may only be granted where the proponent has: <ol style="list-style-type: none"> <li>(a) Where appropriate, obtained written permission from each owner of adjoining or adjacent property which may be impacted by the proposed obstruction.</li> <li>(b) 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 construction at the completion of works.</li> <li>(c) Provided evidence of sufficient Public Liability Insurance.</li> <li>(d) Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.</li> </ol> </li> </ol>



<b>Express Power to Sub Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO may delegate some powers and duties to other employees.
<b>Sub Delegate(s):</b>	<ol style="list-style-type: none"> <li>1. <b>Director Infrastructure.</b></li> <li>2. <b>Manager Technical Services and Works.</b></li> <li>3. <b>Manager Regulatory Services.</b></li> </ol>
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>1. <b>This Delegation cannot be exercised by an Employee (other than the CEO) in any matter which is the subject of a report or decision of the Metro West Joint Development Assessment Panel (JDAP) or the State Administrative Tribunal (SAT).</b></li> <li>2. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>3. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. Determination of Bond Value and Conditions: refer to CEO Delegation 1.3.2 – Determine and Manage Conditions on Approvals to Obstruct a Public Thoroughfare.</li> <li>2. <i>Local Government (Uniform Local Provisions) Regulations 1996:</i> <ol style="list-style-type: none"> <li>(a) Penalties under the <i>Local Government (Uniform Local Provisions) Regulations 1996</i> are administered in accordance with Part 9, Division 2 of the <i>Local Government Act 1995</i>.</li> </ol> </li> </ol>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
4	Amended	25.02.2020	CEO	Not Applicable	CEO conditions on sub delegation.
5		24.11.2020	Council		Annual Review



## 1.2.11 Public Thoroughfare – Dangerous Excavations

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.42 – Delegation of some powers or duties to the CEO.
<b>Express Power or Duty Delegated:</b>	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> Reg 11(1), (4), (6) and (8) – Dangerous excavation in or near public thoroughfare.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>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 it in or securely fence the excavation.</li> <li>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.</li> <li>3. Authority to impose conditions on granting permission.</li> <li>4. Authority to renew a permission granted or vary at any time, any condition imposed on a permission granted.</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. Actions under this Delegation must comply with procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>.</li> <li>2. Permission may only be granted where the proponent has: <ol style="list-style-type: none"> <li>(a) 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.</li> <li>(b) 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.</li> <li>(c) Provided evidence of sufficient Public Liability Insurance.</li> <li>(d) Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.</li> </ol> </li> </ol>
<b>Express Power to Sub Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO may delegate some powers and duties to other employees.
<b>Sub Delegate(s):</b>	<b>1. Manager Regulatory Services.</b>
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>1. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>2. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>



<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. Determination of Bond Value and Conditions – refer to CEO Delegation 1.3.3 – Determine and Manage Conditions on Permissions for Dangerous Excavations on, or on Land Adjoining, Public Thoroughfares.</li> <li>2. <i>Local Government (Uniform Local Provisions) Regulations 1996</i> – prescribe applicable statutory procedures.</li> <li>3. Penalties under the <i>Local Government (Uniform Local Provisions) Regulations 1996</i> are administered in accordance with Part 9, Division 2 of the <i>Local Government Act 1995</i>.</li> </ol>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



## 1.2.12 Crossing – Construction, Repair and Removal

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.42 – Delegation of some powers or duties to the CEO.
<b>Express Power or Duty Delegated:</b>	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> Reg 12(1) – Crossing from public thoroughfare to private land or private thoroughfare. Reg 13(1) – Requirements to construct or repair crossing.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>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.</li> <li>2. Authority to determine the specifications for construction of crossings to the satisfaction of the local government.</li> <li>3. Authority to give notice to an owner or occupier of land requiring the person to construct or repair a crossing.</li> <li>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.</li> </ol>
<b>Council Conditions on this Delegation:</b>	Actions under this Delegation must comply with procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i> .
<b>Express Power to Sub Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO may delegate some powers and duties to other employees.
<b>Sub Delegate(s):</b>	<ol style="list-style-type: none"> <li>1. <b>Director Infrastructure and Works.</b></li> <li>2. <b>Manager Technical Services and Works.</b></li> <li>3. <b>Manager Regulatory Services.</b></li> </ol>
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>1. <b>This Delegation cannot be exercised by an Employee (other than the CEO) in any matter which is the subject of a report or decision of the Metro West Joint Development Assessment Panel (JDAP) or the State Administrative Tribunal (SAT).</b></li> <li>2. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>3. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. <i>Local Government (Uniform Local Provisions) Regulations 1996</i> – prescribe applicable statutory procedures.</li> <li>2. Penalties under the <i>Local Government (Uniform Local Provisions) Regulations 1996</i> are administered in accordance with Part 9, Division 2 of the <i>Local Government Act 1995</i>.</li> <li>3. <b>Policy No: 106 – Vehicle Crossover Policy.</b></li> </ol>



<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.
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Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
4	Amended	25.02.2020	CEO	-	CEO conditions on sub delegation.
5		24.11.2020	Council		Annual Review



### 1.2.13 Private Works On, Over or Under Public Places

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.42 – Delegation of some powers or duties to the CEO.
<b>Express Power or Duty Delegated:</b>	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> Reg 17 – Private works on, over, or under public places.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>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.</li> <li>2. Authority to impose conditions on permission, including those prescribed in Reg 17(5) and (6).</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. Actions under this Delegation must comply with procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>.</li> <li>2. Permission may only be granted where, the proponent has: <ol style="list-style-type: none"> <li>(a) 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.</li> <li>(b) 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.</li> <li>(c) Provided evidence of sufficient Public Liability Insurance.</li> <li>(d) Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.</li> </ol> </li> <li>3. This delegation does not apply where works are contemplated as part of any consideration or assessment of a Development Application which will impact on access to adjacent or adjoining properties on a submission submitted to a Joint Development Assessment Panel. In this circumstance approval for any work will be required from Council.</li> </ol>
<b>Express Power to Sub Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO may delegate some powers and duties to other employees.
<b>Sub Delegate(s):</b>	<ol style="list-style-type: none"> <li>1. <b>Director Infrastructure and Works.</b></li> <li>2. <b>Manager Technical Services and Works.</b></li> <li>3. <b>Manager Regulatory Services.</b></li> </ol>
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>1. This Delegation cannot be exercised by an Employee (other than the CEO) in any matter which is the subject of a report or decision of the Metro West Joint Development Assessment Panel (JDAP) or the State Administrative Tribunal (SAT).</li> <li>2. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> </ol>



	3. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. <i>Local Government (Uniform Provisions) Regulations 1996</i> – prescribe applicable statutory procedures.</li> <li>2. 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.</li> <li>3. Penalties under the <i>Local Government (Uniform Local Provisions) Regulations 1996</i> are administered in accordance with Part 9, Division 2 of the <i>Local Government Act 1995</i>.</li> </ol>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
4	Amended	25.02.2020	CEO	-	CEO Conditions on Sub Delegation
5	Amended	25.08.2020	Council	12.2	Additional Council Condition (3)
6		24.11.2020	Council		Annual Review



### 1.2.14 Give Notice to Prevent Damage to Local Government Property from Wind Erosion and Sand Drift

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.42 – Delegation of some powers or duties to the CEO.
<b>Express Power or Duty Delegated:</b>	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> Reg 21(1) – Wind erosion and sand drifts.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	Authority to give notice to an owner/occupier of land if it is considered that clearing the owner/occupier’s land might cause local government land, having a common boundary, will be adversely affected by wind erosion or sand drift.
<b>Council Conditions on this Delegation:</b>	Nil.
<b>Express Power to Sub Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO may delegate some powers and duties to other employees.
<b>Sub Delegate(s):</b>	<ol style="list-style-type: none"> <li>1. <b>Director Planning and Development.</b></li> <li>2. <b>Manager Regulatory Services.</b></li> </ol>
<b>CEO Conditions on this Sub Delegation:</b>	Nil.
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. <i>Local Government (Uniform Local Provisions) Regulations 1996</i> – prescribe applicable statutory procedures.</li> <li>2. Penalties under the <i>Local Government (Uniform Local Provisions) Regulations 1996</i> are administered in accordance with Part 9, Division 2 of the <i>Local Government Act 1995</i>.</li> </ol>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



## 1.2.15 Expressions of Interest for Goods and Services

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.42 – Delegation of some powers or duties to the CEO.
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s3.57 – Tenders for providing goods or services.  <i>Local Government (Functions and General) Regulations 1996:</i> Reg 21 – Limiting who can tender, procedure for. Reg 23 – Rejecting and accepting expressions of interest to be acceptable tenderer.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>Authority to determine when to seek Expressions of Interest and to invite Expressions of Interest for the supply of goods or services.</li> <li>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.</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>Expressions of Interest can only be called for items in adopted budget.</li> </ol>
<b>Express Power to Sub Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO may delegate some powers and duties to other employees.
<b>Sub Delegate(s):</b>	<ol style="list-style-type: none"> <li><b>All Directors.</b></li> <li><b>All Managers.</b></li> </ol>
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li><i>Local Government (Functions and General) Regulations 1996</i> – prescribe applicable statutory procedures.</li> <li>Western Australian Local Government Association (WALGA) Subscription Service – Procurement Toolkit.</li> <li><b>Policy No: 072 – Purchasing Policy.</b></li> </ol>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



## 1.2.16 Tenders for Goods and Services

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.42 – Delegation of some powers or duties to the CEO.
<b>Express Power or Duty Delegated:</b>	<p><i>Local Government Act 1995:</i> s3.57 – Tenders for providing goods or services.</p> <p><i>Local Government (Functions and General) Regulations 1996:</i> Reg 11 – When tenders have to be publicly invited. Reg 13 – Requirements when local government invites tenders though not required to do so. Reg 14 – Publicly inviting tenders, requirements for. Reg 18 – Rejecting and accepting tenders. Reg 20 – Variation of requirements before entry into contract. Reg 21A – Varying a contract for the supply of goods or services.</p>
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>1. Authority to call tenders.</li> <li>2. Authority to, because of the unique nature of the goods or services, or for any other reason it is unlikely that there is more than one supplier, determine a sole supplier arrangement.</li> <li>3. Authority to undertake tender exempt procurement in accordance with the purchasing policy requirements, where the total consideration under the resulting contract is \$150,000 or less, and the expense is included in the adopted budget.</li> <li>4. Authority to determine in writing, before tenders are called, the criteria for acceptance of tenders.</li> <li>5. Authority to determine the information that is to be disclosed to those interested in submitting a tender.</li> <li>6. 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.</li> <li>7. Authority to evaluate tenders, by written evaluation, and decide which is the most advantageous.</li> <li>8. Authority to accept, or reject tenders, only within the \$150,000 detailed as a condition on this Delegation, and in accordance with the requirements of the <i>Local Government (Functions and General) Regulations 1996</i>.</li> <li>9. Authority to determine that a variation proposed is minor in context of the total goods or services sought through the invitation to tender, subject to a maximum of 10% variation and within the \$150,000 detailed as a condition on this Delegation, and then negotiate minor variations with the successful tenderer before entering into a contract.</li> <li>10. Authority to seek clarification from tenderers in relation to information contained in their tender submission.</li> </ol>



	<ol style="list-style-type: none"> <li>11. Authority to decline any tender that is deemed non-compliant with the tender criteria.</li> <li>12. If the chosen tenderer is unable or unwilling to form a contract, or the minor variation cannot be agreed with the successful tenderer, so that the tenderer ceases to be the chosen tenderer, authority to choose the next most advantageous tender to accept.</li> <li>13. Authority to:             <ol style="list-style-type: none"> <li>(a) Vary a contract that has been entered into with a successful tenderer, provided the variation(s) do not change the scope of the original contract or increase the contract value beyond 10%.</li> <li>(b) Exercise an extension option that was included in the original tender specification and contract in accordance with Regulation 11(2)(j).</li> </ol> </li> <li>14. Authority to accept another tender where within 6 months of either accepting a tender, a contract has not be entered into OR the successful tenderer agrees to terminate the contract.</li> </ol>
<p><b>Council Conditions on this Delegation:</b></p>	<ol style="list-style-type: none"> <li>1. Sole supplier arrangements may only be approved where a record is retained that evidences:             <ol style="list-style-type: none"> <li>(a) A detailed specification;</li> <li>(b) The outcomes of market testing of the specification;</li> <li>(c) The reasons why market testing has not met the requirements of the specification or competitive analysis; and</li> <li>(d) Rationale for why the supply is unique and cannot be sourced through other suppliers.</li> </ol> </li> <li>2. 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 budget, and where the:             <ol style="list-style-type: none"> <li>(a) Proposed goods or services are required to fulfil a routine contract related to the day to day operations of the local government;</li> <li>(b) Current supply contract expiry is imminent; and</li> <li>(c) Value of the proposed new contract has been included in the draft budget proposed for adoption.</li> </ol> </li> <li>3. In accordance with s5.43, tenders may only be, and panels of pre-qualified suppliers established, where the total consideration under the resulting contract is \$150,000 or less, and the expense is included in the adopted budget.</li> <li>4. In accordance with <b>Policy No: 072 – Purchasing Policy</b> and <b>Policy No: 009 – Budget Implementation and Management Policy</b>.</li> <li>5. Delegation must be exercised in accordance with the town’s ‘Standard Conditions’ relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<p><b>Express Power to Sub Delegate:</b></p>	<p><i>Local Government Act 1995:</i> s5.44 – CEO may delegate some powers and duties to other employees.</p>



<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. <i>Local Government (Functions and General) Regulations 1996</i> – prescribe applicable statutory procedures.</li> <li>2. Western Australian Local Government Association (WALGA) Subscriptions Services – Procurement Toolkit.</li> <li>3. <b>Policy No: 072 – Purchasing Policy.</b></li> </ol>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
<b>4</b>		<b>24.11.2020</b>	<b>Council</b>		<b>Annual Review</b>



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

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.42 – Delegation of some powers or duties to the CEO. s5.43 – Limits on delegations to the CEO.
<b>Express Power or Duty Delegated:</b>	Local Government (Functions and General) Regulations 1996: Reg 24AB – Local government may establish panels of pre-qualified suppliers. Reg 24AC(1)(b) – Requirements before establishing panels of pre-qualified suppliers. Reg 24AD(3) and (6) – Requirements when inviting persons to apply to join panel of pre-qualified suppliers. Reg 24AH(2), (3), (4) and (5) – Rejecting and accepting applications to join panel of pre-qualified suppliers. <b>Reg 11(2)(f) To procure goods from a list of sole suppliers for the Wembley Golf Course.</b>
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>1. Authority to determine that there is a continuing need for the goods or services proposed to be provided by a panel of pre-qualified suppliers [Functions and general Reg 24AC(1)(b)].</li> <li>2. Authority to, before inviting submissions, determine in writing the criteria for deciding which applications for inclusion in a panel of pre-qualified suppliers should be accepted [Functions and General Reg 24AD(3)].</li> <li>3. Authority to vary panel of pre-qualified supplier information after public notice inviting submissions has been given, taking reasonable steps to each person who has enquired or submitted an application is provided notice of the variation [Functions and General Reg 24AD(6)].</li> <li>4. Authority to reject an application without considering its merits, where it was submitted at a place and within the time specified, but fails to comply with any other requirement specified in the invitation [Functions and General Reg 24AH(2)].</li> <li>5. Authority to assess applications, by written evaluation of the extent to which the submission satisfies the criteria for deciding which applicants to accept, and decide which applications to accept as most advantageous [functions and General Reg 24AH(3)].</li> <li>6. Authority to request clarification of information provided in a submission by an applicant [Functions and General Reg 24AH(4)].</li> <li>7. Authority to decline to accept any application [Functions and General Reg 24AH(5)].</li> <li>8. Authority to enter into contract, or contracts, for the supply of goods or services with a pre-qualified suppliers for those particular goods or services [Functions and General Reg 24AJ(1)].</li> <li>9. <b>Authority to procure goods from a list of sole suppliers for the Wembley Golf Course.</b></li> <li>10. <b>Authority to add suppliers to a list of sole suppliers for the Wembley Golf Course.</b></li> </ol>



<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>Any decisions to appoint panels of pre-qualified suppliers, must be made in accordance with <b>Policy No: 072 – Purchasing Policy</b>.</li> <li>Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO may delegate some powers and duties to other employees.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li><i>Local Government (Functions and General) Regulations 1996</i> – prescribe applicable statutory procedures.</li> <li>Western Australian Local Government Association (WALGA) – Procurement Toolkit.</li> <li><b>Policy No: 072 – Purchasing Policy</b>.</li> </ol>
<b>Record Keeping:</b>	Delegated Authority Form and Memorandum.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
4	Amended	17.12.2019	Council	CR19.124	Council decision concerning Wembley Golf Course.
5	Amended	25.06.2020	CEO	-	Reg 11(2) added; Functions 9 and 10 added.
6		24.11.2020	Council		Annual Review



## 1.2.18 Disposing of Property

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.42 – Delegation of some powers or duties to the CEO.
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s3.58(2) and (3) – Disposing of Property.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>1. Authority to dispose of property to: <ol style="list-style-type: none"> <li>(a) To the highest bidder at public auction.</li> <li>(b) To the person who at public tender called by the local government, makes what is considered by the delegate to be the most acceptable tender, whether or not it is the highest tender.</li> </ol> </li> <li>2. Authority to dispose of property by private treaty only, in accordance with s3.58(3) and prior to the disposal, to consider any submissions received following the giving of public notice.</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. Where the market value of the property is determined as being less than \$20,000 [Functions and General Reg 30(3) excluded disposal] may be undertaken: <ol style="list-style-type: none"> <li>(a) Without reference to Council for resolution; and</li> <li>(b) In any case, be undertaken to ensure that the best value return is achieved, however where the property is determined as having a nil market value, then the disposal must ensure environmentally responsible disposal.</li> </ol> </li> <li>2. In accordance with <b>Policy No: 072 – Purchasing Policy</b> and <b>Policy No: 105 - Vehicle and Plant Disposal Policy</b>.</li> <li>3. Any sub delegation must be in accordance with s5.43(d) of the <i>Local Government Act 1995</i>.</li> <li>4. Any property (other than land) which is being disposed of must not exceed a market value of \$100,000 (excluding GST).</li> <li>5. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO may delegate some powers and duties to other employees.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. <i>Local Government Act 1995</i> – s3.58 – Disposal of Property.</li> <li>2. <i>Local Government (Functions and General) Regulations 1995</i> – Reg 30 – Dispositions of property excluded from Act s3.58.</li> </ol>



	<p>3. Policy No: 072 – Purchasing Policy.</p> <p>4. Policy No: 105 – Vehicle and Plant Disposal Policy.</p>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



## 1.2.19 Payments from the Municipal, Reserve or Trust Funds

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.42 – Delegation of some powers or duties to the CEO.
<b>Express Power or Duty Delegated:</b>	<i>Local Government (financial Management) Regulations 1996:</i> Reg 12(1)(a) – Payments from municipal fund or trust fund, restrictions on making.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	Authority to make payments from the municipal or trust funds.
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. Procedures are to be systematically documented and retained in accordance with Record Keeping Plan and must include references that enable recognition of statutory requirements and assign responsibility for actions to position titles.</li> <li>2. Procedures are to be administratively reviewed for continuing compliance and confirmed as 'fit for purpose' and subsequently considered by the Audit and Risk Committee in each internal audit cycle [Audit Reg17].</li> <li>3. All actions must comply with the Procedures approved by the CEO in accordance with Financial Management Regulation 5.</li> <li>4. All procurement must be in accordance with: <ol style="list-style-type: none"> <li>(a) <b>Policy No: 072 – Purchasing Policy;</b></li> <li>(b) <b>Policy No: 009 – Budget Implementation and Management Policy;</b></li> <li>(c) <b>Policy No: 008 – Bank Accounts and Payments Policy;</b> and</li> <li>(d) Town of Cambridge Procurement Business Rules Manual.</li> </ol> </li> <li>5. Authority to issue a requisition and determine a purchase order must be in accordance with any policy and/or procedure, and within specified procurement limits.</li> <li>6. All payments from the Municipal or Trust Funds must contain two authorised signatories. At least one signatory must include either the CEO or Director Corporate and Community Services.</li> <li>7. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> <li>8. In accordance with adopted budget.</li> <li>9. The CEO has <u>LEVEL 1</u> Approval – Authority to approve an expenditure, incur a liability or make a payment to an <b>unlimited amount</b>.</li> </ol>
<b>Express Power to Sub Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO may delegate some powers and duties to other employees.



**Sub Delegate(s):**

**PROCUREMENT AUTHORITY TO APPROVE EXPENDITURE UP TO:**

**LEVEL 2**

1.	Director Corporate and Community Services .....	\$100,000
2.	Director Infrastructure and Works .....	\$100,000
3.	Director Planning and Development .....	\$100,000
4.	Manager Finance .....	\$100,000

**LEVEL 3**

1.	Director Planning and Development .....	\$50,000
2.	Manager Finance .....	\$50,000
1. 3.	General Manager Wembley Golf Course .....	\$50,000
2.	Manager Legal and Risk .....	\$50,000
3.	Manager People and Culture .....	\$50,000
4.	Manager Corporate Business .....	\$50,000
5.	Manager Community Services .....	\$50,000
6.	Manager Bold Park Aquatic Centre .....	\$50,000
7.	Manager Asset Management .....	\$50,000
8.	Manager Technical Services and Works .....	\$50,000
9.	Manager Parks and Natural Environment .....	\$50,000
10.	Manager Strategic Planning .....	\$50,000
11.	Manager Statutory Planning .....	\$50,000
12.	Manager Regulatory Services .....	\$50,000

**LEVEL 4**

1.	Manager Legal and Risk .....	\$25,000
2.	Manager People and Culture .....	\$25,000
3.	Manager Corporate Business .....	\$25,000
4.	Manager Community Services .....	\$25,000
5.	Manager Bold Park Aquatic Centre .....	\$25,000
6.	Manager Asset Management .....	\$25,000
7.	Manager Technical Services and Works .....	\$25,000
8.	Manager Parks and Natural Environment .....	\$25,000
9.	Manager Strategic Planning .....	\$25,000
10.	Manager Statutory Planning .....	\$25,000
11.	Manager Regulatory Services .....	\$25,000

**LEVEL 5 4**

1.	Coordinator Governance and Office of the CEO .....	\$10,000
2.	Coordinator People and Culture .....	\$10,000
3.	Coordinator Health and Compliance .....	\$10,000
4.	Coordinator Works .....	\$10,000
5.	Coordinator Projects .....	\$10,000
6.	Coordinator Community Development .....	\$10,000
7.	Coordinator Property and Procurement .....	\$10,000
8.	Coordinator Ranger Services and Community Safety .....	\$10,000
9.	Coordinator Design, Waste and Technical Services .....	\$10,000
10.	Coordinator Library and Local History .....	\$10,000
11.	Coordinator Asset Management .....	\$10,000
12.	Coordinator Parks (x2) .....	\$10,000
13.	Senior Landscape Officer .....	\$10,000
14.	Coordinator Building Maintenance .....	\$10,000
15.	Building Maintenance Officer (x3) .....	\$10,000
16.	Wembley Golf Course Operations Manager .....	\$10,000
17.	Wembley Golf Course Superintendent .....	\$10,000
18.	Coordinator IT Systems .....	\$10,000

**LEVEL 6 5**

1.	Senior Administration Officers:	
1.1	Planning and Development .....	\$5,000
1.2	Infrastructure and Works .....	\$5,000
1.3	Corporate and Community Services .....	\$5,000
2.	Senior Community Development Officer (Seniors) .....	\$5,000
3.	Team Leader – Customer Services .....	\$5,000
4.	Events Coordinator – Quarry Amphitheatre .....	\$5,000
5.	People and Culture Systems Officer .....	\$5,000



	<ul style="list-style-type: none"> <li>6. Organisational Safety and Training Officer .....\$5,000</li> <li>7. Crew Leader – Maintenance and Works .....\$5,000</li> <li>8. Crew Leader – Contracts .....\$5,000</li> <li>9. Crew Leader – Projects .....\$5,000</li> <li>10. Leading Hand – Works .....\$5,000</li> <li>11. Crew Leader – Parks .....\$5,000</li> <li>12. Leading Hand – Tree Services .....\$5,000</li> <li>13. Leading Hand – Built Assets (Parks) .....\$5,000</li> <li>14. Leading Hand – Irrigation (Parks)(Vacant) .....\$5,000</li> <li>15. Executive and Elected Member Liaison Officer .....\$5,000</li> </ul>
<b>CEO Conditions on this Sub Delegation:</b>	<ul style="list-style-type: none"> <li>1. All actions must comply with the procedures approved by the CEO in accordance with Financial Management Regulation 5.</li> <li>2. All procurement must be in accordance with: <ul style="list-style-type: none"> <li>(a) <b>Policy No: 072 – Purchasing Policy;</b></li> <li>(b) <b>Policy No: 009 – Budget Implementation and Management Policy;</b></li> <li>(c) <b>Policy No: 008 – Bank Accounts and Payments Policy;</b> and</li> <li>(d) Town of Cambridge Procurement Business Rules Manual.</li> </ul> </li> <li>3. Authority to issue a requisition and determine a purchase order must be in accordance with any policy and/or procedure, and within procurement limits, as delegated by the CEO.</li> <li>4. All payments from the Municipal or Trust Funds must contain two authorised signatories. At least one signatory must include either the CEO or Director Corporate and Community Services.</li> <li>5. Prior to exercising this delegation, all on-delegates must complete procurement training provided by the Town, and sign a declaration of understanding of the Town’s procurement and tender requirements and practices.</li> <li>6. All on-delegates must sign a declaration as part of their Annual Return requirements to reaffirm their understanding of the Town’s procurement and tender requirements and practices.</li> <li>7. Delegation must be exercised in accordance with the Town’s ‘Standard Conditions’ relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> <li>8. In accordance with adopted budget.</li> </ul>
<b>Compliance Links:</b>	<ul style="list-style-type: none"> <li>1. <i>Local Government Act 1995.</i></li> <li>2. <i>Local Government (Financial Management) Regulators 1996 – Regs 5, 11, 12 and 13 - Payments from Municipal Fund or Trust Fund by CEO, CEO’s Duties as to, etc.</i></li> <li>3. <i>Local Government (Audit) Regulations 1996.</i></li> <li>4. Department of Local Government, Sport and Cultural Industries: <ul style="list-style-type: none"> <li>– Operational Guideline No 11 – Use of Corporate Credit Cards;</li> <li>– Accounting Manual.</li> </ul> </li> <li>5. <b>Policy No: 072 – Purchasing Policy.</b></li> <li>6. <b>Policy No: 009 – Budget Implementation and Management Policy.</b></li> <li>7. <b>Policy No: 008 – Bank Accounts and Payments Policy.</b></li> </ul>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.



Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
4	Amended	23.12.2019	Delegation 1.2.19	-	<i>Deleted WGC Operations Manager; added WGC Stock Coordinator and Senior Supervisors (x2).</i>
5	Amended	04.06.2020	CEO	-	<i>Deleted Senior Supervisors (x2) and added WGC Superintendent to reflect correct position titles.</i>
6	Amended	12.11.2020	CEO	-	<i>Approval Values Amended: 1. Director Planning and Development and Manager Finance increased from \$50,000 to \$100,000; 2. All Managers increased from \$25,000 to \$50,000. 3. Existing Level 4 removed, remaining Levels renumbered 4 and 5 respectively.</i>
7		24.11.2020	Council		<i>Annual Review</i>



## 1.2.20 Defer, Grant Discounts, Waive or Write off Debts

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.42 – Delegation of some powers or duties to the CEO.
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s6.12 – Power to defer, grant discounts, waive or write off debts. s6.12 – Power to vary the fee schedule for Wembley Golf Course.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>1. Waive a debt which is owed to the Town.</li> <li>2. Write off an amount of money which is owed to the Town.</li> <li>3. Authority to defer, grant discounts, waive or write off debts.</li> <li>4. Authority to vary the fee schedule for Wembley Golf Course.</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. <del>This Delegation does not apply to debts which are prescribed as debts that are taken to be a rate or service charge.</del>  A debt may be waived where it is less than \$5,000, except for debts that are taken to be a rate of service charge.</li> <li>2. <del>A debt may be waived where it is less than \$5,000.</del>  Where debts are taken to be a rate or service charge, only minor sums up to \$5.00 per each assessment.</li> <li>3. A report to be submitted to the Audit Committee outlining the exercise of such Delegations every 6 months.</li> <li>4. Waiving of fees under the <i>Planning and Development Act 2005</i>.</li> <li>5. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>6. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> <li>7. In accordance with adopted budget.</li> </ol>
<b>Express Power to Sub Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO may delegate some powers and duties to other employees.
<b>Sub Delegate(s):</b>	<b>1. Director Corporate and Community Services.</b>
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>1. The Sub Delegate may only waive fees and charges related to their operational responsibilities, and where such waiver is to rectify a service failure on the part of the Town, limited to a value less than \$100 per customer within a financial year.</li> <li>2. The Sub Delegate may waive fees and charges related to their operational responsibilities where such waiver is either to:</li> </ol>



	<p>(a) Rectify a service failure on the part of the town limited to a value less than \$100 per customer within a financial year; or</p> <p>(b) Assist a not for profit community group or charitable entity in fulfilling a service, social or cultural outcome within the Town, to a value less than \$500.</p> <p>3. All exercise of delegation concerning Planning fees shall be in accordance with Local Planning Policy 1.6 – Assistance for Heritage Places.</p> <p>4. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</p> <p>5. Delegation must be exercised in accordance with the Town’s ‘Standard Conditions’ relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</p> <p>6. In accordance with adopted budget.</p>
<b>Compliance Links:</b>	<p>1. <i>Local Government Act 1995.</i></p> <p>2. <i>Local Government (Financial Management) Regulations 1996.</i></p> <p>3. <b>Policy No: 3.2.8 – Financial Hardship Policy.</b></p>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
4	Approved	17.11.2019	Council	CR19.123	Council decision – Wembley Golf Course.
5	Amended	25.06.2020	CEO	-	Express Power of Duty Delegated – s6.12 added; Function Delegated – Functions 3 and 4 added.
6	Amended	14.08.2020	CEO	-	Council Conditions on Delegation – Items 1 and 2 amended.
7		24.11.2020	Council		Annual Review



## 1.2.21 Power to Invest and Manage Investments

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.42 – Delegation of some powers or duties to the CEO.
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s6.14 – Power to invest.  <i>Local Government (Financial Management) Regulations 1996:</i> Reg 19 – Investments, control procedures for.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>1. Authority to invest money held in the municipal fund or reserve fund that is not, for the time being, required for any other purpose.</li> <li>2. Authority to establish and document internal control procedures to be followed in the investment and management of investments.</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. All investment activity must comply with Financial Management Regulation 19C and <b>Policy No: 052 – Investment Policy</b>.</li> <li>2. A report detailing the investment portfolio's performance, exposures and changes since last reporting, is to be provided as part of the Monthly Financial Reports.</li> <li>3. Procedures are to be systematically documented and retained in accordance with the Record Keeping Plan, must include references that enable recognition of statutory requirements, and assign responsibility for actions to position titles.</li> <li>4. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> <li>5. In accordance with adopted budget.</li> </ol>
<b>Express Power to Sub Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO may delegate some powers and duties to other employees.
<b>Sub Delegate(s):</b>	<ol style="list-style-type: none"> <li>1. <b>Director Corporate and Community Services.</b></li> <li>2. <b>Manager Finance.</b></li> </ol>
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>1. All investment activity must comply with financial Management Regulation 19C and <b>Policy No: 052 – Investment Policy</b>.</li> <li>2. In accordance with adopted budget.</li> <li>3. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. <i>Local Government (Financial Management) Regulations 1996:</i> <ol style="list-style-type: none"> <li>(a) Reg 19C(1) - Investment of money, restrictions;</li> <li>(b) Reg 28 – Investment Information Required in Notes; and</li> <li>(c) Reg 49 – Invested money, information about in annual financial report.</li> </ol> </li> </ol>



	<ol style="list-style-type: none"><li>2. <i>Local Government Act 1995</i> – s6.14(2)(a).</li><li>3. <i>Trustees Act 1962</i> – Part 111 – Investments.</li><li>4. <b>Policy No: 052 – Investment Policy.</b></li></ol>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
<b>4</b>		<b>24.11.2020</b>	<b>Council</b>		<b>Annual Review</b>



## 1.2.22 Rates Record Amendment

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.42 – Delegation of some powers or duties to the CEO.
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s6.39(2)(b) – Rate record.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	Authority to determine any requirement to amend the rate record for the 5 years preceding the current financial year.
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. Must comply with the requirements of s6.40 of the <i>Local Government Act 1995</i>.</li> <li>2. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>3. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO may delegate some powers and duties to other employees.
<b>Sub Delegate(s):</b>	<ol style="list-style-type: none"> <li>1. <b>Director Corporate and Community Services.</b></li> <li>2. <b>Manager Finance.</b></li> </ol>
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>1. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>2. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. <i>Local Government Act 1995</i> – s6.40 prescribes consequential actions that may be required following a decision to amend the rate record.</li> </ol> <p>Note: Decisions under this Delegation may be referred for review by the State Administrative Tribunal (SAT).</p>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



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

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate</b>	<i>Local Government Act 1995:</i> s5.42 – Delegation of some powers or duties to the CEO.
<b>Express Power or Duty Delegated</b>	<i>Local Government Act 1995:</i> s6.49 – Agreement as to payment of rates and service charges.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated</b>	Authority to make an agreement with a person for the payment of rates or service charges.
<b>Council Conditions on this Delegation</b>	<ol style="list-style-type: none"> <li>1. Agreements must be in writing and must ensure acquittal of the rates or service charge debt before the next annual rates or service charges are levied.</li> <li>2. Must comply with <b>Policy No: 046 – Financial Hardship Policy</b>.</li> <li>3. Delegation must be exercised in accordance with the Town’s ‘Standard Conditions’ relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate</b>	<i>Local Government Act 1995:</i> s5.44 – CEO may delegate some powers and duties to other employees.
<b>Sub Delegate(s):</b>	<ol style="list-style-type: none"> <li>1. <b>Director Corporate and Community Services.</b></li> <li>2. <b>Manager Finance.</b></li> <li>3. <b>Senior Rates Officer.</b></li> </ol>
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>1. Must comply with <b>Policy No: 046 – Financial Hardship Policy</b>.</li> <li>2. Delegation must be exercised in accordance with the Town’s ‘Standard Conditions’ relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Compliance Links</b>	1. <b>Policy No: 046 – Financial Hardship Policy</b> .
<b>Record Keeping</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



## 1.2.24 Determine Due Dates for Rates or Service Charges

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.42 – Delegation of some powers or duties to the CEO.
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s6.50 – Rates or service charges due and payable.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	Authority to determine the date on which rates or service charges become due and payable to the Town [s6.50].
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>In accordance with adopted budget.</li> <li>That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO may delegate some powers and duties to other employees.
<b>Sub Delegate(s):</b>	<b>1. Director Corporate and Community Services.</b>
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated authority.</li> </ol>
<b>Compliance Links:</b>	1. <i>Local Government Act 1995.</i>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



## 1.2.25 Recovery of Rates and Service Charges

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.42 – Delegation of some powers or duties to the CEO.
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s6.56 – Rates or service charges recoverable in court.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	Authority to recover rates or service charges, as well as costs of proceedings for the recovery, in a court of competent jurisdiction [s6.56(1)].
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>2. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO may delegate some powers and duties to other employees.
<b>Sub Delegate(s):</b>	<ol style="list-style-type: none"> <li>1. <b>Director Corporate and Community Services.</b></li> <li>2. <b>Manager Finance.</b></li> </ol>
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>1. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>2. Delegation must be exercised in accordance with the Town 's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Compliance Links:</b>	1. <b>Policy No: 046 – Financial Hardship Policy.</b>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



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

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.42 – Delegation of some powers or duties to the CEO.
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s6.56 – Rates or service charges recoverable in court.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>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 Town [s6.60(2)].</li> <li>Authority to recover the amount of the rate or service charge as a debt from the lessee if a rent is not paid in accordance with a notice [s6.60(4)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	Nil.
<b>Express Power to Sub Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO may delegate some powers and duties to other employees.
<b>Sub Delegate(s):</b>	<ol style="list-style-type: none"> <li><b>Director Corporate and Community Services.</b></li> <li><b>Manager Finance.</b></li> </ol>
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li><i>Local Government Act 1995</i> – refer s6.61 and s6.62 which prescribe procedures relevant to exercise of authority under s6.60.</li> <li><b>Policy No: 046 – Financial Hardship Policy.</b></li> </ol>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



## 1.2.27 Rate Record - Objections

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.42 – Delegation of some powers or duties to the CEO.
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s6.76 – Grounds of objection.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>1. Authority to extend the time for a person to make an objection to a rate record [s6.76(4)].</li> <li>2. Authority to consider an objection to a rate record and either allow it or disallow it, wholly or in part providing the decision and reasons for the decision in a notice promptly served upon the person who made the objection [s6.76(5)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. 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.</li> </ol>
<b>Express Power to Sub Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO may delegate some powers and duties to other employees.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. <b>Policy No: 046 – Financial Hardship Policy.</b></li> </ol> <p>Note: Decisions under this Delegation may be referred for review by the State Administrative Tribunal.</p>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



### 1.2.28 Extension of Time for Objections Against a Decision

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.42 – Delegation of some powers or duties to the CEO.
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s9.5 Objection may be lodged.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	Authority to extend the time for a person to make an objection to a decision.
<b>Council Conditions on this Delegation:</b>	Nil.
<b>Express Power to Sub Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO may delegate some powers and duties to other employees.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	Nil.
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	26.11.2019	Council	CR19.116	Annual Review
2		24.11.2020	Council		Annual Review



## 1.2.29 Appointment of an Acting Chief Executive Officer

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.42 – Delegation of some powers or duties to the CEO.
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s5.36 – Local Government Employees. s5.39 – Contracts for CEO and senior employees.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	Appointment of an Acting Chief Executive Officer.
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>The Town employee appointed to act must be a designated Senior Employee.</li> <li>The person appointed to act as Chief Executive Officer at the discretion of the Chief Executive Officer, subject to performance and dependent on availability and operational requirements.</li> <li>Appointments to the role of Acting Chief Executive Officer under this Delegation may not be for a period longer than three months without the approval of Council.</li> <li>The Chief Executive Officer is to advise Council when a Designated Senior Employee is to be appointed as Acting Chief Executive Officer.</li> <li>The appointment shall be in accordance with <b>Policy No: 012 – Chief Executive Officer – Taking of Leave and Acting Roles Policy</b>.</li> <li>Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO may delegate some powers and duties to other employees.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li><b>Policy No: 012 – Chief Executive Officer – Taking of Leave and Acting Roles Policy</b>.</li> </ol>
<b>Record Keeping:</b>	Exercise of Authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



### 1.2.30 Employment of Persons

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.42 – Delegation of some powers or duties to the CEO. s5.43 – Limits on delegations to the CEO.
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s5.36(1)(b) – Local Government Employees.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>Authority to employ a person (except the CEO).</li> <li>Employment of a 'Senior Officer' to be reported to Council in accordance with s5.37 of the <i>Local Government Act 1995</i>.</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO may delegate some powers and duties to other employees.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	Nil.
<b>Record Keeping:</b>	<ol style="list-style-type: none"> <li>Instruments or Certificates of Authorisation: Copies are to be retained on the Authorised Person's personnel file.</li> <li>A record of each Authorisation is to be retained in the authorised Persons Register, retained as a Local Government Record.</li> </ol>

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



### 1.2.31 Primary and Annual Returns

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.42 – Delegation of some powers or duties to the CEO. s5.43 – Limits on delegations to the CEO.
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s5.74(1) – Authority to appoint a person a “Designated Employee” for the purposes of the Act.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	The CEO may appoint a person to be a Designated Employee to submit Primary and Annual Returns and for the purposes of the Act.
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>2. Delegation must be exercised in accordance with the Town’s ‘Standard Conditions’ relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO may delegate some powers and duties to other employees.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	Nil.
<b>Record Keeping:</b>	A record of each appointment is to be retained in the Public Register.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



### 1.2.32 Payment of Legal Expenses for Elected Members and Employees

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.42 – Delegation of some powers or duties to the CEO. s5.43 - Limits on delegations to the CEO.
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s6.7 –Municipal Fund. s9.56 – Certain persons protected from liability for wrongdoing.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	Authority to make payments for legal expenses for Elected Members and Employees.
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>All payments shall be in accordance with <b>Policy No: 054 – Legal Representation for Elected Members and Employees Policy</b>.</li> <li>Delegation must be exercised in accordance with the Town’s ‘Standard Conditions’ relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	<i>Local Government Act 1995!</i> s5.44 – CEO may delegate some powers and duties to other employees.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li><b>Policy No: 054 – Legal Representation for Elected Members and Employees Policy</b>.</li> </ol>
<b>Record Keeping:</b>	A record of each payment is to be recorded.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



### 1.2.33 Performing Functions Outside the District

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.42 – Delegation of some powers or duties to the CEO. s5.43 – Limits on delegations to the CEO.
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s3.20(1) – Performing functions outside the district.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	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 [3.20(1)].
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. A decision to undertake a function outside the District can only be made under this Delegation where there is a relevant allocation with the Budget and the performance of the function does not negatively impact service levels within the District. Where these conditions are not meet, the matter must be referred to Council for decision.</li> <li>2. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>3. Delegation must be exercised in accordance with the Town’s ‘Standard Conditions’ relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO may delegate some powers and duties to other employees.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	Nil.
<b>Record Keeping:</b>	Delegated Authority Form and Memorandum.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



### 1.2.34 Determination of a Contract

<b>Delegator:</b>	Local Government																
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.42 – Delegation of some powers or duties to the CEO. s5.43 – Limits on delegations to the CEO.																
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s9.49B – Contract Formalities.																
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>																
<b>Function Delegated:</b>	Authority to determine, make, vary or discharge all contracts and agreements.																
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. A contract shall only be determined in accordance with <b>Policy No: 072 – Purchasing Policy</b>, and Town of Cambridge Procurement Business Rules Manual.</li> <li>2. The CEO shall only determine a contract up to a maximum amount of \$149,999.</li> <li>3. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>4. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority</li> </ol>																
<b>Express Power to Sub Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO may delegate some powers and duties to other employees.																
<b>Sub Delegate(s):</b>	<b><u>Authority to Approve a Contract up to \$50,000 \$100,000:</u></b> <ol style="list-style-type: none"> <li>1. <b>Director Corporate and Community Services.</b></li> <li>2. <b>Director Infrastructure and Works.</b></li> <li>3. <b>Director Planning and Development.</b></li> <li>4. <b>Manager Finance.</b></li> </ol>																
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>1. A contract shall only be determined in accordance with <b>Policy No: 072 – Purchasing Policy</b>, and Town of Cambridge Procurement Business Rules Manual.</li> <li>2. The maximum amount of a contract shall not exceed amount in adopted budget, and the following amount:   <u>Authority to Approve a Contract up to:</u>  <table border="0"> <tr> <td>2.1</td> <td>Director Corporate and Community Services</td> <td><del>\$50,000</del></td> <td>\$100,000</td> </tr> <tr> <td>2.2</td> <td>Director Infrastructure and Works</td> <td><del>\$50,000</del></td> <td>\$100,000</td> </tr> <tr> <td>2.3</td> <td>Director Planning and Development</td> <td><del>\$50,000</del></td> <td>\$100,000</td> </tr> <tr> <td>2.4</td> <td>Manager Finance</td> <td><del>\$50,000</del></td> <td>\$100,000</td> </tr> </table> </li> <li>3. The contract can only be determined if there is an approved amount in the Council adopted budget.</li> <li>4. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>	2.1	Director Corporate and Community Services	<del>\$50,000</del>	\$100,000	2.2	Director Infrastructure and Works	<del>\$50,000</del>	\$100,000	2.3	Director Planning and Development	<del>\$50,000</del>	\$100,000	2.4	Manager Finance	<del>\$50,000</del>	\$100,000
2.1	Director Corporate and Community Services	<del>\$50,000</del>	\$100,000														
2.2	Director Infrastructure and Works	<del>\$50,000</del>	\$100,000														
2.3	Director Planning and Development	<del>\$50,000</del>	\$100,000														
2.4	Manager Finance	<del>\$50,000</del>	\$100,000														



	<p>5. <u>Authority to Cancel a Contract:</u>            5.1 A contract (of any type) shall only be cancelled or not renewed by the Chief Executive Officer. Where the CEO takes such action, it shall be in writing and the reasons for such cancellation or non-renewal shall be documented.</p>
<b>Compliance Links:</b>	Nil.
<b>Record Keeping:</b>	Exercise of Authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
4	Amended	05.06.2020	CEO	-	Sub Delegation amended to prescribe that only the CEO shall cancel a contract.
5	Amended	12.11.2020	CEO	-	Authority to approve a contract increased to \$100,000 from \$50,000.
6		24.11.2020	Council		Annual Review



### 1.2.35 Affixing of Common Seal and Signing of Documents

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.42 – Delegation of some powers or duties to the CEO. s5.43 – Limits on delegations to the CEO.
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s9.49A(2), (3) and (4) – Execution of documents.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>1. Authorise the affixing of the Council Common Seal to any document that needs the Town’s Common Seal to be legally effective. This includes, but is not limited to the following: <ul style="list-style-type: none"> <li>(a) Subdivisions and/or development approvals;</li> <li>(b) Transfer of land (sale and purchase);</li> <li>(c) Loan documents;</li> <li>(d) Lease;</li> <li>(e) Licence;</li> <li>(f) Strata title;</li> <li>(g) Documents capable for lodgement at WA Titles Office/Landgate;</li> <li>(h) Documents that are necessary to enable the CEO to carry out functions under any written law.</li> </ul> </li> <li>2. Authorise the CEO to sign on behalf of the Town, a document that is necessary or appropriate for the CEO to sign in carrying out the prescribed functions under any written law, authorisation or delegation from the Council.</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. The documents must not be inconsistent with a Policy, delegation or resolution.</li> <li>2. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>3. Delegation must be exercised in accordance with the Town’s ‘Standard Conditions’ relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO may delegate some powers and duties to other employees.
<b>Sub Delegate(s):</b>	<ol style="list-style-type: none"> <li>1. A person authorised by the CEO may only sign documents where: <ul style="list-style-type: none"> <li>(a) It is consistent with the annual budget; and</li> <li>(b) Their existing delegations or sub delegations; and</li> <li>(c) Up to the delegation for financial approval.</li> </ul> </li> <li>2. A document for the purposes of this resolution includes, but is not limited to: any letter, contract, memorandum of understanding, agreement, undertaking, application, lease, deed, grant application or grant receipt, deal, tender and certificate.</li> <li>3. This authorisation is also extended to any person acting in a role authorised by this resolution.</li> </ol>



<b>CEO Conditions on this Sub Delegation:</b>	Nil.
<b>Compliance Links:</b>	Nil.
<b>Record Keeping:</b>	Exercise of Authority to be recorded in ECM.

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1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Reviews
4		24.11.2020	Council		Annual Review



### 1.2.36 Prosecution of Offences and Commencement of Proceedings

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s9.24 – Prosecutions, commencing. s5.42 – Delegation of some powers or duties to the CEO. s5.43 – Limits on delegations to the CEO.
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s9.24 – Prosecutions, commencing.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	Authority to commence proceedings for an offence under the <i>Local Government Act 1995</i> , Regulations and Local Laws.
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>2. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO may delegate some powers and duties to other employees.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. <b>Policy No: 022 – Compliance, Enforcement and Prosecution Policy.</b></li> </ol>
<b>Record Keeping:</b>	Delegated Authority Form and Memorandum.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



### 1.2.37 Legal Advice

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s9.24 – Prosecutions, commencing. s5.42 – Delegation of some powers or duties to the CEO. s5.43 – Limits on delegations to the CEO.
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s5.41 – Functions of the CEO – Obtaining legal advice.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	Authority to obtain legal advice.
<b>Council Conditions on this Delegation:</b>	1. That all requests for legal advice shall be in writing.
<b>Express Power to Sub Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO May delegate some powers and duties to other employees.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	Nil.
<b>Record Keeping:</b>	Delegated Authority Form and Memorandum.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	31.03.2020	Council	12.1	Adopted
2		24.11.2020	Council		Annual Review



## Division 1.3 – Chief Executive Officer to Employees

### 1.3.1 Determine if an Emergency for Emergency Powers of Entry

<b>Delegator:</b>	Chief Executive Officer
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO may delegate some powers and duties to other employees.
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s3.34(2) – Entry in an emergency.
<b>Delegated to:</b>	<ol style="list-style-type: none"> <li>1. <b>DIRECTOR INFRASTRUCTURE AND WORKS.</b></li> <li>2. <b>MANAGER TECHNICAL SERVICES AND OPERATIONS.</b></li> <li>3. <b>DIRECTOR PLANNING AND DEVELOPMENT.</b></li> <li>4. <b>MANAGER REGULATORY SERVICES.</b></li> </ol>
<b>Function Delegated:</b>	Authority to determine on behalf of the CEO that an emergency exists for the purposes of performing local government functions.
<b>Council Conditions on this Delegation:</b>	Not applicable.
<b>Express Power to Sub Delegate:</b>	Not applicable – sub delegation from CEO cannot be on delegated.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>1. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>2. Delegation must be exercised in accordance with the Town’s ‘Standard Conditions’ relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Compliance Links:</b>	Not applicable.
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



### 1.3.2 Determine and Manage Conditions on Approvals to Obstruct a Public Thoroughfare

<b>Delegator:</b>	Chief Executive Officer
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO may delegate some powers and duties to other employees.
<b>Express Power or Duty Delegated:</b>	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> Reg 6 – Obstruction of public thoroughfare by things placed and left.
<b>Delegated to:</b>	<ol style="list-style-type: none"> <li>1. <b>DIRECTOR INFRASTRUCTURE AND WORKS.</b></li> <li>2. <b>MANAGER TECHNICAL SERVICES AND OPERATIONS.</b></li> <li>3. <b>MANAGER REGULATORY SERVICES.</b></li> </ol>
<b>Function Delegated:</b>	<p>When determining to grant permission to obstruct a public footpath or thoroughfare under Delegated Authority 1.2.10:</p> <ol style="list-style-type: none"> <li>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.</li> <li>2. Authority to determine the requirements for protective structures, during such time as it is considered necessary for public safety and convenience.</li> <li>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.</li> </ol>
<b>Council Conditions on this Delegation:</b>	Not applicable.
<b>Express Power to Sub Delegate:</b>	Not applicable – sub delegation from CEO cannot be on delegated.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>1. This Delegation cannot be exercised by an Employee (other than the CEO) in any matter which is the subject of a report or decision of the Metro West Joint Development Assessment Panel (JDAP) or the State Administrative Tribunal (SAT).</li> <li>2. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>3. Actions under this Delegation must comply with the procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>.</li> <li>4. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>



<b>Compliance Links:</b>	<p>1. <i>Local Government (Uniform Local Provisions) Regulations 1996.</i></p> <p>Note: Penalties under the <i>Local Government (Uniform Local Provisions) Regulations 196</i> are administered in accordance with Part 9, Division of the <i>Local Government Act 1995</i>.</p>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Reviews
4		24.11.2020	Council		Annual Review



### 1.3.3 Determine and Manage Conditions on Permissions for Dangerous Excavations on, or on Land Adjoining Public Thoroughfares

<b>Delegator:</b>	Chief Executive Officer
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO may delegate some powers and duties to other employees.
<b>Express Power or Duty Delegated:</b>	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> Reg 11(6)(c) and 11(7)(c) – Dangerous excavation in or near public thoroughfare.
<b>Delegated to:</b>	<ol style="list-style-type: none"> <li>1. <b>DIRECTOR INFRASTRUCTURE AND WORKS.</b></li> <li>2. <b>MANAGER TECHNICAL SERVICES AND OPERATIONS.</b></li> <li>3. <b>MANAGER REGULATORY SERVICES.</b></li> </ol>
<b>Function Delegated:</b>	<p>When determining to grant permission for a dangerous excavation under Delegated Authority 1.2.11:</p> <ol style="list-style-type: none"> <li>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.</li> <li>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 a satisfactory condition necessary for public safety and convenience.</li> <li>3. Authority to determine if repairs to damage resulting from excavation or protective structures have been repaired satisfactorily.</li> </ol>
<b>Council Conditions on this Delegation:</b>	Not applicable.
<b>Express Power to Sub Delegate:</b>	Not applicable – sub delegation from CEO cannot be on delegated.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>1. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>2. Actions under this Delegation must comply with the procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>.</li> <li>3. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. <i>Local Government (Uniform Local Provisions) 1996.</i></li> </ol> <p>Penalties under the <i>Local Government (Uniform Local Provisions) 1996</i> are administered in accordance with Part 9, Division 2 of the <i>Local Government Act 1995</i>.</p>



<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.
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Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	Cr19.116	Annual Review
4		24.11.2020	Council		Annual Review



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

<b>Delegator:</b>	Chief Executive Officer
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO may delegate some powers and duties to other employees.
<b>Express Power or Duty Delegated:</b>	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> Reg 17(5)(b) and 17(6)(c) – Private works on, over, or under public places.
<b>Delegated to:</b>	<ol style="list-style-type: none"> <li>1. <b>DIRECTOR INFRASTRUCTURE AND WORKS.</b></li> <li>2. <b>MANAGER TECHNICAL SERVICE AND OPERATIONS.</b></li> <li>3. <b>MANAGER REGULATORY SERVICES.</b></li> </ol>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>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.</li> <li>2. Authority to determine if repairs to damage resulting from excavation or protective structures have been repaired satisfactorily.</li> </ol>
<b>Council Conditions on this Delegation:</b>	Not applicable.
<b>Express Power to Sub Delegate:</b>	Not applicable – sub delegation from CEO cannot be on delegated.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>1. <b>This Delegation cannot be exercised by an Employee (other than the CEO) in any matter which is the subject of a report or decision of the Metro West Joint Development Assessment Panel (JDAP), or the State Administrative Tribunal (SAT).</b></li> <li>2. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>3. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. This Delegated Authority is effective only in alignment with Delegated Authority 1.2.13 – Private Works on, over, or under Public Places.</li> <li>2. <i>Local Government (Uniform Local Provisions) Regulations 1996.</i></li> </ol>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.



Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
4	Amended	25.02.2020	CEO	-	CEO Conditions of Delegation
5		24.11.2020	Council		Annual Review



### 1.3.5 Electoral Enrolment Eligibility Claims and Electoral Roll

<b>Delegator:</b>	Chief Executive Officer
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO may delegate some powers and duties to other employees.
<b>Express Power or Duty Delegated:</b>	<p><i>Local Government Act 1995:</i> s4.32(4), (5A) and (5) – Eligibility to enrol under s4.30, how to claim. s4.34 – Accuracy of enrolment details to be maintained. s4.35 – Decision that eligibility to enrol under s4.30 has ended. s4.37 – New roll for each election.</p> <p><i>Local Government (Elections) Regulations 1995:</i> Reg 11(1a) – Nomination of co-owners or co-occupiers. Reg 13(2) and (4) Register.</p>
<b>Delegated to:</b>	<ol style="list-style-type: none"> <li>1. <b>MANAGER LEGAL AND RISK.</b></li> <li>2. <b>COORDINATOR GOVERNANCE AND OFFICE OF THE CEO.</b></li> </ol>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>1. Authority to require the written notice for co-owners or co-occupiers to be incorporated into Form 2.</li> <li>2. Authority to decide whether or not the claimant is eligible under s4.30(1)(a) and s4.30(1)(b) and accept or reject the claim accordingly.</li> <li>3. Authority to decide to accept or reject a claim made before the close of enrolments, but less than 14 days before the close of nominations.</li> <li>4. Authority to make any enquiries necessary in order to make a decision on an eligibility claim.</li> <li>5. Authority to approve the omission of an elector’s address from the Owners and Occupiers Electoral Roll 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.</li> <li>6. Authority to amend the Owners and Occupiers Electoral Roll from time to time to make sure that the information recorded in it is accurate.</li> <li>7. Authority to ensure that the information about electors that is recorded from enrolment eligibility claims is maintained in an up to date and accurate form.</li> <li>8. Authority to decide that a person is no longer eligible under s4.30 to be enrolled on the Owners and Occupiers Electoral Roll and to give notice and consider submissions, before making such determination.</li> <li>9. Authority to determine to take any action necessary to give effect to advice received from the Electoral Commissioner.</li> <li>10. Decide, with the approval of the Electoral Commissioner, that a new electoral roll is not required for an election day which is less than 100 days since the last election day.</li> </ol>
<b>Council Conditions on this Delegation:</b>	Not applicable.



<b>Express Power to Sub Delegate:</b>	Not applicable – sub delegation from CEO cannot be on delegated.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>1. Decisions on enrolment eligibility are to be recorded in the Enrolment Eligibility Register in accordance with s4.32(6) and s4.35(7).</li> <li>2. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>3. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Compliance Links:</b>	1. Department of Local Government, Sport and Cultural Industries: Returning Officer Manual.
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



### 1.3.6 Destruction of Electoral Papers

<b>Delegator:</b>	Chief Executive Officer
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO may delegate some powers and duties to other employees.
<b>Express Power or Duty Delegated:</b>	<i>Local Government (Elections) Regulations 1996:</i> Reg 82(4) – Keeping election papers.
<b>Delegated to:</b>	<ol style="list-style-type: none"> <li>1. <b>MANAGER LEGAL AND RISK.</b></li> <li>2. <b>COORDINATOR GOVERNANCE AND OFFICE OF THE CEO.</b></li> </ol>
<b>Function Delegated:</b>	Authority to, after a period of 4 years, destroy the parcels of election papers in the presence of at least two (2) other employees.
<b>Council Conditions on this Delegation:</b>	Not applicable.
<b>Express Power to Sub Delegate:</b>	Not applicable – sub delegation from CEO cannot be on delegated.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>1. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>2. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. Department of Local Government, Sport and Cultural Industries: Return Officer Manual.</li> </ol>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



### 1.3.7 Information to be Available to the Public

<b>Delegator:</b>	Chief Executive Officer
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO may delegate some powers and duties to other employees.
<b>Express Power or Duty Delegated:</b>	<i>Local Government (Administration) Regulations 1996:</i> Reg 29(2) and (3) – Information to be available for public inspection. Reg 29B – Copies of certain information not to be provided.  <i>Local Government Act 1995:</i> s5.95(1)(b) and s5.95(3) – Limits on right to inspect local government information.
<b>Delegated to:</b>	<ol style="list-style-type: none"> <li>1. <b>MANAGER LEGAL AND RISK.</b></li> <li>2. <b>COORDINATOR GOVERNANCE AND OFFICE OF THE CEO.</b></li> </ol>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>1. Authority to determine the public right to inspect information, by determining if the information requested relates to a part of a meeting that could have been closed to members of the public but was not.</li> <li>2. Authority to determine the public right to inspect information in an agenda or minutes, by determining if the information requested would be part of the meeting which is likely to be closed to members of the public.</li> <li>3. Authority to determine the manner and form by which a person may request copies of rates record information, or owners and occupiers register and electoral rolls, and to make the information available, if satisfied, by statutory declaration or otherwise, that the information will not be used for commercial purposes.</li> <li>4. Authority to determine not to provide a right to inspect information, where it is considered that in doing so would divert a substantial and unreasonable portion of the local government’s resources away from its other functions.</li> <li>5. Authority to determine not to provide a right to inspect information contained in notice papers, agenda, minutes, or information tabled at a meeting, where it is considered that that part of the meeting could have been closed to members of the public but was not closed.</li> </ol>
<b>Council Conditions on this Delegation:</b>	Not applicable.
<b>Express Power to Sub Delegate:</b>	Not applicable – sub delegation from CEO cannot be on delegated.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>1. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>2. Delegation must be exercised in accordance with the Town’s ‘Standard Conditions’ relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>



<b>Compliance Links:</b>	Nil.
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



### 1.3.8 Financial Management Systems and Procedures

<b>Delegator:</b>	Chief Executive Officer
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO may delegate some powers and duties to other employees.
<b>Express Power or Duty Delegated:</b>	<i>Local Government (Financial Management) Regulations 1996:</i> Reg 5 – CEO’s duties as to financial management.
<b>Delegated to:</b>	<ol style="list-style-type: none"> <li>1. <b>DIRECTOR CORPORATE AND COMMUNITY SERVICES.</b></li> <li>2. <b>MANAGER FINANCE.</b></li> </ol>
<b>Function Delegated:</b>	<p>Authority to establish systems and procedures which give effect to internal controls and risk mitigation for the:</p> <ol style="list-style-type: none"> <li>1. Collection of money owed to the Town;</li> <li>2. Safe custody and security of money collected or held by the Town;</li> <li>3. Maintenance and security of all financial records, including payroll, stock control, and costing records;</li> <li>4. Proper accounting of the Municipal and Trust Funds, including revenue, expenses and assets and liabilities;</li> <li>5. Proper authorisation of employees for incurring liabilities, including authority for initiating Requisition Orders, Purchase Orders, and use of Credit and Transaction Cards;</li> <li>6. Making of payments in accordance with Delegated Authority 1.2.19;</li> <li>7. Preparation of budgets, budget reviews, accounts and reports, as required by legislation or operational requirements.</li> </ol>
<b>Council Conditions on this Delegation:</b>	Not applicable.
<b>Express Power to Sub Delegate:</b>	Not applicable – sub delegation from CEO cannot be on delegated.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>1. Procedures are to be systematically documented and retained in accordance with the Record Keeping Plan, and must include references that enable recognition of statutory requirements and assign responsibility for actions to position titles.</li> <li>2. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>3. Delegation must be exercised in accordance with the Town’s ‘Standard Conditions’ relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. <i>Local Government Act 1995.</i></li> <li>2. <i>Local Government (Financial Management) Regulations 1996.</i></li> <li>3. <i>Local Government (Audit) Regulations 1996.</i></li> <li>4. Department of Local Government, Sport and Cultural Industries: Operational Guideline No 11 – Use of Corporate Credit Cards.</li> </ol>



<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.
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Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



### 1.3.9 Audit – CEO Review of Systems and Procedures

<b>Delegator:</b>	Chief Executive Officer
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO may delegate some powers and duties to other employees.
<b>Express Power or Duty Delegated:</b>	<i>Local Government (Audit) Regulations 1996:</i> Reg 17 – CEO to review certain systems and procedures.
<b>Delegated to:</b>	<ol style="list-style-type: none"> <li>1. <b>MANAGER LEGAL AND RISK.</b></li> <li>2. <b>MANAGER FINANCE.</b></li> <li>3. <b>COORDINATOR GOVERNANCE AND OFFICE OF THE CEO.</b></li> </ol>
<b>Function Delegated:</b>	<p>Authority to conduct the review of the appropriateness and effectiveness of the Town's systems and procedures in relation to:</p> <ol style="list-style-type: none"> <li>1. Risk management;</li> <li>2. Internal controls; and</li> <li>3. Legislative compliance.</li> </ol>
<b>Council Conditions on this Delegation:</b>	Not applicable.
<b>Express Power to Sub Delegate:</b>	Not applicable – sub delegation from CEO cannot be on delegated.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>1. Each matter is to be reviewed at least once in every three (3) financial years, with a report on each matter to be provided to the Audit Committee that details the findings, including any identified deficiencies and actions required.</li> <li>2. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>3. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. <i>Local Government (Audit) Regulations 1996.</i></li> </ol>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



### 1.3.10 Infringement Notices

<b>Delegator:</b>	Chief Executive Officer
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO May delegate some powers and duties to other employees.
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s9.13(6)(b) – Onus of proof in vehicle offences may be shifted. s9.19 – Extension of time. s9.20 – Withdrawal of Notice.
<b>Delegated to:</b>	<ol style="list-style-type: none"> <li>1. <b>DIRECTOR PLANNING AND DEVELOPMENT.</b></li> <li>2. <b>MANAGER REGULATORY SERVICES.</b></li> </ol>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>1. Authority to consider an owner of a vehicle's submission that the vehicle that is subject of an Infringement Notice, has been stolen or unlawfully taken at the time of the alleged offence.</li> <li>2. Authority to extend the 28 day period within which payment of a modified penalty may be paid, whether or not the period of 28 days has elapsed.</li> <li>3. Authority to withdraw an Infringement Notice within one year after the Notice was given, whether or not the modified penalty has been paid, by sending a Withdrawal Notice (in the prescribed form) to the alleged offender, and if the modified penalty has been paid, providing a refund.</li> </ol>
<b>Council Conditions on this Delegation:</b>	Not applicable.
<b>Express Power to Sub Delegate:</b>	Not applicable – sub delegation from CEO cannot be on delegated.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>1. A delegate who participated in a decision to issue an Infringement Notice, must NOT determine any matter related to that Infringement Notice under this Delegation.</li> <li>2. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>3. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Compliance Links:</b>	Nil.
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

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4		24.11.2020	Council		Annual Review



## Part 2 – Local Laws

### Division 2.1 – Council to the Chief Executive Officer

#### 2.1.1 Town of Cambridge Animals Local Law 2016

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.42 – Delegation of some powers or duties to the CEO. s5.44 – CEO may delegate some powers and duties to other employees.
<b>Express Power or Duty Delegated:</b>	Authority to administer all local laws, and do all other things that are necessary or convenient to be done for, or in connection with, performing its functions under the <i>Town of Cambridge Animals Local Law 2016</i> .
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	Authority to administer all local laws, and do all other things that are necessary or convenient to be done for, or in connection with, performing its functions under the <i>Town of Cambridge Animals Local Law 2016</i> .
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. A Register of Authorised Persons is to be maintained as a Local Government Record.</li> <li>2. Only persons who are appropriately qualified and trained may be appointed as Authorised Persons.</li> <li>3. Only an Authorised Person may administer a local law.</li> <li>4. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>5. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO may delegate some powers and duties to other employees.
<b>Sub Delegate(s):</b>	<ol style="list-style-type: none"> <li>1. <b>Manager Regulatory Services.</b></li> <li>2. <b>Coordinator Health and Compliance.</b></li> <li>3. <b>Coordinator Ranger and Community Safety Services.</b></li> <li>4. <b>Environmental Health Officers.</b></li> <li>5. <b>Compliance Officers.</b></li> <li>6. <b>Senior Ranger.</b></li> <li>7. <b>Rangers.</b></li> </ol>
<b>CEO Conditions on this Sub Delegation:</b>	Nil.
<b>Compliance Links:</b>	Nil.
<b>Record Keeping:</b>	<ol style="list-style-type: none"> <li>1. Instruments or Certifications of Authorisation: Copies are to be retained on the Authorised Person's personnel file.</li> <li>2. A record of each Authorisation is to be retained in the Authorised Persons Register, retained as a Local Government Record.</li> </ol>



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4		24.11.2020	Council		Annual Review



## 2.1.2 Town of Cambridge Health Local Law 2016

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.42 – Delegation of some powers or duties to the CEO. s5.44 – CEO may delegate some powers and duties to other employees.
<b>Express Power or Duty Delegated:</b>	Authority to administer all local laws, and do all other things that are necessary or convenient to be done for, or in connection with, performing its functions under the <i>Town of Cambridge Health Local Law 2016</i> .
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	Authority to administer all local laws, and do all other things that are necessary or convenient to be done for, or in connection with, performing its functions under the <i>Town of Cambridge Health Local Law 2016</i> .
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. A Register of Authorised Persons is to be maintained as a Local Government Record.</li> <li>2. Only persons who are appropriately qualified and trained may be appointed as Authorised Persons.</li> <li>3. Only an Authorised Person may administer a local law.</li> <li>4. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>5. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO may delegate some powers and duties to other employees.
<b>Sub Delegate(s):</b>	<ol style="list-style-type: none"> <li>1. <b>Manager Regulatory Services.</b></li> <li>2. <b>Coordinator Health and Compliance.</b></li> <li>3. <b>Environmental Health Officers.</b></li> </ol>
<b>CEO Conditions on this Sub Delegation:</b>	Nil.
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. Instruments or Certifications of Authorisation: Copies are to be retained on the Authorised Person's personnel file.</li> <li>2. A record of each Authorisation is to be retained in the Authorised Persons Register, retained as a Local Government Record.</li> </ol>
<b>Record Keeping:</b>	<ol style="list-style-type: none"> <li>1. Instruments or Certificates of Authorisation – Copies are to be retained on the Authorised Person's personnel file.</li> <li>2. A record of each Authorisation is to be retained in the Authorised Persons Register, retained as a Local Government Record.</li> </ol>



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3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



### 2.1.3 Town of Cambridge Local Government and Public Property Local Law 2017

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.42 – Delegation of some powers or duties to the CEO. s5.44 – CEO may delegate some powers and duties to other employees.
<b>Express Power or Duty Delegated:</b>	Authority to administer all local laws and do all other things that are necessary or convenient to be done for, or in connection with, performing its functions under the <i>Town of Cambridge Local Government and Public Property Local Law 2017</i> .
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	Authority to administer all local laws, and do all other things that are necessary or convenient to be done for, or in connection with, performing its functions under the <i>Town of Cambridge Local Government and Public Property Local Law 2017</i> .
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. A Register of Authorised Persons is to be maintained as a Local Government Record.</li> <li>2. Only persons who are appropriately qualified and trained may be appointed as Authorised Persons.</li> <li>3. Only an Authorised Person may administer a local law.</li> <li>4. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>5. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO may delegate some powers and duties to other employees.
<b>Sub Delegate(s):</b>	<ol style="list-style-type: none"> <li>1. <b>Manager Regulatory Services.</b></li> <li>2. <b>Coordinator Health and Compliance.</b></li> <li>3. <b>Coordinator Ranger and Community Services.</b></li> <li>4. <b>Environmental Health Officers.</b></li> <li>5. <b>Compliance Officers.</b></li> <li>6. <b>Senior Ranger.</b></li> <li>7. <b>Rangers.</b></li> </ol>
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>1. A Register of Authorised Persons is to be maintained as a Local Government Record.</li> <li>2. Only persons who are appropriately qualified and trained may be appointed as Authorised Persons.</li> <li>3. Only an Authorised Person may administer a local law.</li> <li>4. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> </ol>



	5. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.
<b>Compliance Links:</b>	Nil.
<b>Record Keeping:</b>	<ol style="list-style-type: none"> <li>1. Instruments or Certificates of Authorisation: Copies are to be retained on the Authorised Person's personnel file.</li> <li>2. A record of each Authorisation is to be retained in the Authorised Persons Register, retained as a Local Government Record.</li> </ol>

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3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



## 2.1.4 Town of Cambridge Private Property Local Law 2016

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.42 – Delegation of some powers or duties to the CEO. s5.44 – CEO may delegate some powers and duties to other employees.
<b>Express Power or Duty Delegated:</b>	Authority to administer all local laws, and do all other things that are necessary or convenient to be done for, or in connection with, performing its functions under the <i>Town of Cambridge Private Property Local Law 2016</i> .
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	Authority to administer all local laws, and do all other things that are necessary or convenient to be done for, or in connection with, performing its functions under the <i>Town of Cambridge Private Property Local Law 2016</i> .
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. A Register of Authorised Persons is to be maintained as a Local Government Record.</li> <li>2. Only persons who are appropriately qualified and trained may be appointed as Authorised Persons.</li> <li>3. Only an Authorised Person may administer a local law.</li> <li>4. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>5. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO may delegate some powers and duties to other employees.
<b>Sub Delegate(s):</b>	<ol style="list-style-type: none"> <li>1. <b>Manager Regulatory Services.</b></li> <li>2. <b>Coordinator Health and Compliance.</b></li> <li>3. <b>Coordinator Ranger and Community Safety Services.</b></li> <li>4. <b>Environmental Health Officers.</b></li> <li>5. <b>Compliance Officers.</b></li> <li>6. <b>Senior Ranger.</b></li> <li>7. <b>Rangers.</b></li> </ol>
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>1. A Register of Authorised Persons is to be maintained as a Local Government Record.</li> <li>2. Only persons who are appropriately qualified and trained may be appointed as Authorised Persons.</li> <li>3. Only an Authorised Person may administer a local law.</li> <li>4. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> </ol>



	5. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.
<b>Compliance Links:</b>	Nil.
<b>Record Keeping:</b>	<ol style="list-style-type: none"><li>1. Instruments or Certificates of Authorisation: Copies are to be retained on the authorised Person's personnel file.</li><li>2. A record of each Authorisation is to be retained in the Authorised Persons Register, retained as a Local Government Record.</li></ol>

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4		24.11.2020	Council		Annual Review



## 2.1.5 Town of Cambridge Parking Local Law 2016

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.42 – Delegation of some powers or duties to the CEO. s5.44 – CEO may delegate some powers and duties to other employees.
<b>Express Power or Duty Delegated:</b>	Authority to administer all local laws, and do all other things that are necessary or convenient to be done for, or in connection with, performing its functions under the <i>Town of Cambridge Parking Local Law 2016</i> .
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	Authority to administer all local laws, and do all other things that are necessary or convenient to be done for, or in connection with, performing its functions under the <i>Town of Cambridge Parking Local Law 2016</i> .
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. A Register of Authorised Persons is to be maintained as a Local Government Record.</li> <li>2. Only persons who are appropriately qualified and trained may be appointed as Authorised Persons.</li> <li>3. Only an Authorised Person may administer a local law.</li> <li>4. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>5. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO may delegate some powers and duties to other employees.
<b>Sub Delegate(s):</b>	<ol style="list-style-type: none"> <li>1. <b>Manager Regulatory Services.</b></li> <li>2. <b>Coordinator Health and Compliance.</b></li> <li>3. <b>Coordinator Ranger and Community Safety Services.</b></li> <li>4. <b>Environmental Health Officers.</b></li> <li>5. <b>Compliance Officers.</b></li> <li>6. <b>Senior Ranger.</b></li> <li>7. <b>Rangers.</b></li> </ol>
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>1. A Register of Authorised Persons is to be maintained as a Local Government Record.</li> <li>2. Only persons who are appropriately qualified and trained may be appointed as Authorised Persons.</li> <li>3. Only an Authorised Person may administer a local law.</li> <li>4. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>5. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>



<b>Compliance Links:</b>	Nil.
<b>Record Keeping:</b>	<ol style="list-style-type: none"><li>1. Instruments or Certificates of Authorisation: Copies are to be retained on the authorised Person's personnel file.</li><li>2. A record of each Authorisation is to be retained in the authorised Persons Register, retained as a Local Government Record.</li></ol>

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4		24.11.2020	Council		Annual Review



## 2.1.6 Town of Cambridge Trading in Public Places Local Law 2016

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.42 – Delegation of some powers or duties to the CEO. s5.44 – CEO may delegate some powers and duties to other employees.
<b>Express Power or Duty Delegated:</b>	Authority to administer all local laws and do all other things that are necessary or convenient to be done for, or in connection with, performing its functions under the <i>Town of Cambridge Trading in Public Places Local Law 2016</i> .
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	Authority to administer all local laws, and do all other things that are necessary or convenient to be done for, or in connection with, performing its functions under the <i>Town of Cambridge Trading in Public Places Local Law 2016</i> .
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. A Register of Authorised Persons is to be maintained as a Local Government Record.</li> <li>2. Only persons who are appropriately qualified and trained may be appointed as Authorised Persons.</li> <li>3. Only an Authorised Person may administer a local law.</li> <li>4. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>5. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO may delegate some powers and duties to other employees.
<b>Sub Delegate(s):</b>	<ol style="list-style-type: none"> <li>1. <b>Manager Regulatory Services.</b></li> <li>2. <b>Coordinator Health and Compliance.</b></li> <li>3. <b>Coordinator Ranger and Community Safety Services.</b></li> <li>4. <b>Environmental Health Officers.</b></li> <li>5. <b>Compliance Officers.</b></li> <li>6. <b>Senior Ranger.</b></li> <li>7. <b>Rangers.</b></li> </ol>
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>1. A Register of Authorised Persons is to be maintained as a Local Government Record.</li> <li>2. Only persons who are appropriately qualified and trained may be appointed as Authorised Persons.</li> <li>3. Only an Authorised Person may administer a local law.</li> <li>4. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> </ol>



	5. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.
<b>Compliance Links:</b>	Nil.
<b>Record Keeping:</b>	<ol style="list-style-type: none"><li>1. Instruments or Certificates of Authorisation: Copies are to be retained on the Authorised Person's personnel file.</li><li>2. A record of each Authorisation is to be retained in the Authorised Persons Register, retained as a Local Government Record.</li></ol>

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4		24.11.2020	Council		Annual Review



## 2.1.7 Town of Cambridge Waste Local Law 2016

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.42 – Delegation of some powers or duties to the CEO. s5.44 – CEO may delegate some powers and duties to other employees.
<b>Express Power or Duty Delegated:</b>	Authority to administer all local laws, and do all other things that are necessary or convenient to be done for, or in connection with, performing its functions under the <i>Town of Cambridge Waste Local Law 2016</i> .
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	Authority to administer all local laws, and do all other things that are necessary or convenient to be done for, or in connection with performing its functions under the <i>Town of Cambridge Waste Local Law 2016</i> .
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. A Register of Authorised Persons is to be maintained as a Local Government Record.</li> <li>2. Only persons who are appropriately qualified and trained may be appointed as Authorised Persons.</li> <li>3. Only an authorised Person may administer a local law.</li> <li>4. That all action and/or Delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>5. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO may delegate some powers and duties to other employees.
<b>Sub Delegate(s):</b>	<ol style="list-style-type: none"> <li>1. <b>Manager Regulatory Services.</b></li> <li>2. <b>Coordinator Health and Compliance.</b></li> <li>3. <b>Coordinator Ranger and Community Safety Services.</b></li> <li>4. <b>Environmental Health Officers.</b></li> <li>5. <b>Compliance Officers.</b></li> <li>6. <b>Senior Ranger.</b></li> <li>7. <b>Rangers.</b></li> <li>8. <b>Waste Minimisation Officer.</b></li> </ol>
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>1. A Register of Authorised Persons is to be maintained as a Local Government Record.</li> <li>2. Only persons who are appropriately qualified and trained may be appointed as Authorised Persons.</li> <li>3. Only an authorised Person may administer a local law.</li> <li>4. That all action and/or Delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>5. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>



<b>Compliance Links:</b>	Nil.
<b>Record Keeping:</b>	<ol style="list-style-type: none"><li>1. Instruments or Certificates of Authorisation: Copies are to be retained on the Authorised Person's personnel file.</li><li>2. A record of each Authorisation is to be retained in the authorised Persons Register, retained as a Local Government Record.</li></ol>

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4		24.11.2020	Council		Annual Review



## Division 2.2 – Chief Executive Officer to Employees

### 2.2.1 Determine Activities Allowed on a Thoroughfare with a Permit

<b>Delegator:</b>	Chief Executive Officer
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO May delegate some powers and duties to other employees.
<b>Express Power or Duty Delegated:</b>	<i>Town of Cambridge Trading in Public Places Local Law 2016:</i> Part 3 – Permits - 3.1 Application for permit. 3.2 Decision on application for permit. 3.3 Conditions which may be imposed on a permit. 3.4 Imposing conditions under a policy. 3.5 Compliance with and variation of conditions.
<b>Delegated to:</b>	<b>MANAGER REGULATORY SERVICES</b>
<b>Function Delegated:</b>	Determine activities allowed on a thoroughfare with a permit.
<b>Council Conditions on this Delegation:</b>	Not applicable.
<b>Express Power to Sub Delegate:</b>	Not applicable – sub delegation from CEO cannot be on delegated.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li><i>Town of Cambridge Trading in Public Places Local Law 2016.</i></li> </ol>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

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1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



## 2.2.2 Issue a Permit for the Construction of a Temporary Vehicle Crossing

<b>Delegator:</b>	Chief Executive Officer
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO May delegate some powers and duties to other employees.
<b>Express Power or Duty Delegated:</b>	<i>Local Government and Public Property Local Law 2017:</i> Part 9 – Works in Thoroughfares. Division 4 – Vehicle Crossings. s9.11 – Temporary vehicle crossings.
<b>Delegated to:</b>	<ol style="list-style-type: none"> <li>1. <b>DIRECTOR INFRASTRUCTURE AND WORKS.</b></li> <li>2. <b>MANAGER TECHNICAL SERVICES AND WORKS.</b></li> <li>3. <b>MANAGER REGULATORY SERVICES.</b></li> </ol>
<b>Function Delegated:</b>	Issue a permit for the construction of a temporary vehicle crossing.
<b>Council Conditions on this Delegation:</b>	Not applicable.
<b>Express Power to Sub Delegate:</b>	Not applicable – sub delegation from CEO cannot be on delegated.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>1. This Delegation cannot be exercised by an Employee (other than the CEO) in any matter which is the subject of a report or decision of the Metro West Joint Development Assessment Panel (JDAP) or the State Administrative Tribunal.</li> <li>2. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>3. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Compliance Links:</b>	1. <i>Town of Cambridge Local Government and Public Property Local Law 2017.</i>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	26.11.2019	Council	CR19.116	Annual Review
2		24.11.2020	Council		Annual Review



## 2.2.3 Permissible Verge Treatments and Notice to Owner or Occupier

<b>Delegator:</b>	Chief Executive Officer
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO May delegate some powers and duties to other employees.
<b>Express Power or Duty Delegated:</b>	<i>Local Government and Public Property Local Law 2017:</i> Part 9 – Works in Thoroughfares. Division 2 – Verges. s9.3 – Permissible verge treatments. s9.5 – Enforcement (notice to owner or occupier).
<b>Delegated to:</b>	<ol style="list-style-type: none"> <li>1. <b>DIRECTOR INFRASTRUCTURE AND WORKS.</b></li> <li>2. <b>MANAGER TECHNICAL SERVICES AND WORKS.</b></li> <li>3. <b>MANAGER REGULATORY SERVICES.</b></li> </ol>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>1. Approve permissible verge treatments.</li> <li>2. Issue a notice to an owner or occupier of a lot abutting a verge to make good a non-compliance or breach.</li> </ol>
<b>Council Conditions on this Delegation:</b>	Not applicable.
<b>Express Power to Sub Delegate:</b>	Not applicable – sub delegation from CEO cannot be on delegated.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>1. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>2. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. <i>Town of Cambridge Local Government and Public Property Local Law 2017.</i></li> </ol>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	26.11.2019	Council	CR19.116	Annual Review
2		24.11.2020	Council		Annual Review



## 2.2.4 Issue a Permit for Advertising Signs and Portable Direction Signs

<b>Delegator:</b>	Chief Executive Officer
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO May delegate some powers and duties to other employees.
<b>Express Power or Duty Delegated:</b>	<i>Local Government and Public Property Local Law 2017:</i> Part 3 – Permits. Division 5 – When a permit is required.
<b>Delegated to:</b>	<ol style="list-style-type: none"> <li>1. <b>MANAGER REGULATORY SERVICES.</b></li> <li>2. <b>COORDINATOR RANGER AND COMMUNITY SAFETY SERVICES.</b></li> <li>3. <b>COORDINATOR HEALTH AND COMPLIANCE.</b></li> </ol>
<b>Function Delegated:</b>	Issue a permit for advertising signs and portable direction signs.
<b>Council Conditions on this Delegation:</b>	Not applicable.
<b>Express Power to Sub Delegate:</b>	Not applicable – sub delegation from CEO cannot be on delegated.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>1. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>2. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. <i>Town of Cambridge Local Government and Public Property Local Law 2017.</i></li> </ol>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	26.11.2019	Council	CR19.116	Annual Review
2		24.11.2020	Council		Annual Review



## 2.2.5 Issue a Permit for Leaving an Animal or Vehicle in a Public Place or on Local Government Property

<b>Delegator:</b>	Chief Executive Officer
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO May delegate some powers and duties to other employees.
<b>Express Power or Duty Delegated:</b>	<i>Town of Cambridge Animals Local Law 2016:</i> Part 5 – Animals and Livestock 5.1 – Leaving Large Animal or Dog in Public Place or on Local Government Property.  <i>Town of Cambridge Local Government and Public Property Local Law 2017:</i> Part 3 – Permits 3.2 – Application for permit. 3.3 – Decision on application for a permit. 3.4 – Conditions which may be imposed on a permit. 3.5 – Imposing conditions under a policy. 3.6 – Compliance with and variation of conditions.
<b>Delegated to:</b>	<ol style="list-style-type: none"> <li>1. <b>MANAGER REGULATORY SERVICES.</b></li> <li>2. <b>COORDINATOR RANGER AND COMMUNITY SAFETY SERVICES.</b></li> <li>3. <b>COORDINATOR HEALTH AND COMPLIANCE.</b></li> </ol>
<b>Function Delegated:</b>	Issue a permit for leaving an animal or vehicle in a public place or on local government property.
<b>Council Conditions on this Delegation:</b>	Not applicable.
<b>Express Power to Sub Delegate:</b>	Not applicable – sub delegation from CEO cannot be on delegated.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>1. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>2. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. <i>Town of Cambridge Animals Local Law 2016.</i></li> <li>2. <i>Town of Cambridge Local Government and Public Property Local Law 2017.</i></li> </ol>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	26.11.2019	Council	CR19.116	Annual Review
2		24.11.2020	Council		Annual Review



## 2.2.6 Determine Applications for a Stallholder's or Trader's Permit

<b>Delegator:</b>	Chief Executive Officer
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO May delegate some powers and duties to other employees.
<b>Express Power or Duty Delegated:</b>	<i>Town of Cambridge Trading in Public Places Local Law 2016:</i> Part 3 – Permits 3.1 – Application for a permit. 3.2 – Decision on application for permit. 3.3 – Conditions which may be imposed on a permit. 3.4 – Imposing conditions under a policy. 3.5 – Compliance with and variation of conditions.
<b>Delegated to:</b>	<b>1. MANAGER REGULATORY SERVICES.</b> <b>2. COORDINATOR HEALTH AND COMPLIANCE.</b>
<b>Function Delegated:</b>	Determine applications for a Stallholder's or Trader's permit.
<b>Council Conditions on this Delegation:</b>	Not applicable.
<b>Express Power to Sub Delegate:</b>	Not applicable – sub delegation from CEO cannot be on delegated.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	1. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).  2. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.
<b>Compliance Links:</b>	1. <i>Town of Cambridge Trading in Public Places Local Law 2016.</i>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	26.11.2019	Council	CR19.116	Annual Review
2		24.11.2020	Council		Annual Review



## 2.2.7 Determine Exemptions from the Requirement to Pay a Fee for a Stallholder's or Trader's Permit

<b>Delegator:</b>	Chief Executive Officer
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO May delegate some powers and duties to other employees.
<b>Express Power or Duty Delegated:</b>	<i>Town of Cambridge Trading in Public Places Local Law 2016:</i> Part 3 – Permits 3.1 – Application for a permit. 3.2 – Decision on application for permit. 3.3 – Conditions which may be imposed on a permit. 3.4 – Imposing conditions under a policy. 3.5 – Compliance with and variation of conditions.
<b>Delegated to:</b>	<ol style="list-style-type: none"> <li><b>MANAGER REGULATORY SERVICES.</b></li> <li><b>COORDINATOR HEALTH AND COMPLIANCE.</b></li> </ol>
<b>Function Delegated:</b>	Determine exemptions from the requirement to pay a fee for a Stallholder's or Trader's Permit.
<b>Council Conditions on this Delegation:</b>	Not applicable.
<b>Express Power to Sub Delegate:</b>	Not applicable – sub delegation from CEO cannot be on delegated.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li><i>Town of Cambridge Trading in Public Places Local Law 2016.</i></li> </ol>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	26.11.2019	Council	CR19.116	Annual Review
2		24.11.2020	Council		Annual Review



## 2.2.8 Issue a Permit for Street Entertainers to Perform in a Public Place

<b>Delegator:</b>	Chief Executive Officer
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO May delegate some powers and duties to other employees.
<b>Express Power or Duty Delegated:</b>	<i>Town of Cambridge Trading in Public Places Local Law 2016:</i> Part 3 – Permits 3.1 – Application for a permit. 3.2 – Decision on application for permit. 3.3 – Conditions which may be imposed on a permit. 3.4 – Imposing conditions under a policy. 3.5 – Compliance with and variation of conditions.
<b>Delegated to:</b>	<ol style="list-style-type: none"> <li><b>MANAGER REGULATORY SERVICES.</b></li> <li><b>COORDINATOR HEALTH AND COMPLIANCE.</b></li> </ol>
<b>Function Delegated:</b>	Issue a permit for street entertainers to perform in a public place.
<b>Council Conditions on this Delegation:</b>	Not applicable.
<b>Express Power to Sub Delegate:</b>	Not applicable – sub delegation from CEO cannot be on delegated.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li><i>Town of Cambridge Trading in Public Places Local Law 2016.</i></li> </ol>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	26.11.2019	Council	CR19.116	Annual Review
2		24.11.2020	Council		Annual Review



## 2.2.9 Issue a Permit for Outdoor Eating Facilities in a Public Place

<b>Delegator:</b>	Chief Executive Officer
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO May delegate some powers and duties to other employees.
<b>Express Power or Duty Delegated:</b>	<i>Town of Cambridge Trading in Public Places Local Law 2016:</i> Part 3 – Permits 3.1 – Application for a permit. 3.2 – Decision on application for permit. 3.3 – Conditions which may be imposed on a permit. 3.4 – Imposing conditions under a policy. 3.5 – Compliance with and variation of conditions.
<b>Delegated to:</b>	<ol style="list-style-type: none"> <li><b>MANAGER REGULATORY SERVICES.</b></li> <li><b>COORDINATOR HEALTH AND COMPLIANCE.</b></li> </ol>
<b>Function Delegated:</b>	Issue a permit for outdoor eating facilities in a public place.
<b>Council Conditions on this Delegation:</b>	Not applicable.
<b>Express Power to Sub Delegate:</b>	Not applicable – sub delegation from CEO cannot be on delegated.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li><i>Town of Cambridge Trading in Public Places Local Law 2016.</i></li> </ol>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	26.11.2019	Council	CR19.116	Annual Review
2		24.11.2020	Council		Annual Review



## 2.2.10 Give a Notice to an Owner or Occupier to Redirect or Repair a Sprinkler or to Remove a Hazardous Plant

<b>Delegator:</b>	Chief Executive Officer
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO May delegate some powers and duties to other employees.
<b>Express Power or Duty Delegated:</b>	<i>Town of Cambridge Local Government and Public Property Local Law 2017:</i> Part 11 – Notices 11.1 – Notice to redirect or repair sprinkler. 11.2 – Plants encroaching over a footpath, thoroughfare or local government property.
<b>Delegated to:</b>	<ol style="list-style-type: none"> <li>1. <b>DIRECTOR PLANNING AND DEVELOPMENT.</b></li> <li>2. <b>MANAGER REGULATORY SERVICES.</b></li> <li>3. <b>DIRECTOR INFRASTRUCTURE AND WORKS.</b></li> <li>4. <b>MANAGER TECHNICAL SERVICES AND WORKS.</b></li> </ol>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>1. Give notice to an owner or occupier to redirect or repair a sprinkler.</li> <li>2. Give notice to an owner or occupier to remove a hazardous plant.</li> </ol>
<b>Council Conditions on this Delegation:</b>	Not applicable.
<b>Express Power to Sub Delegate:</b>	Not applicable – sub delegation from CEO cannot be on delegated.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>1. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>2. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. <i>Town of Cambridge Local Government and Public Property Local Law 2017.</i></li> </ol>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	26.11.2019	Council	CR19.116	Annual Review
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## 2.2.11 Give a Notice to an Owner or Occupier to Repair Damage to a Thoroughfare or to Remove a Thing Unlawfully Placed on a Thoroughfare

<b>Delegator:</b>	Chief Executive Officer
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO May delegate some powers and duties to other employees.
<b>Express Power or Duty Delegated:</b>	<i>Town of Cambridge Local Government and Public Property Local Law 2017:</i> Part 11 – Notices 11.3 – Notice to repair damage to thoroughfare. 11.4 – Notice to remove thing unlawfully placed on thoroughfare.
<b>Delegated to:</b>	<ol style="list-style-type: none"> <li>1. <b>DIRECTOR PLANNING AND DEVELOPMENT.</b></li> <li>2. <b>MANAGER REGULATORY SERVICES.</b></li> <li>3. <b>DIRECTOR INFRASTRUCTURE AND WORKS.</b></li> <li>4. <b>MANAGER TECHNICAL SERVICES AND WORKS.</b></li> </ol>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>1. Give notice to an owner or occupier to repair damage to a thoroughfare.</li> <li>2. Give notice to an owner or occupier to remove a thing unlawfully placed on a thoroughfare.</li> </ol>
<b>Council Conditions on this Delegation:</b>	Not applicable.
<b>Express Power to Sub Delegate:</b>	Not applicable – sub delegation from CEO cannot be on delegated.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>1. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>2. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. <i>Town of Cambridge Local Government and Public Property Local Law 2017.</i></li> </ol>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	26.11.2019	Council	CR19.116	Annual Review
2		24.11.2020	Council		Annual Review



## 2.2.12 Give a Notice that Premises does not Comply with Requirements of Part 2 and 3 of the *Town of Cambridge Animals Local Law 2016*

<b>Delegator:</b>	Chief Executive Officer
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO May delegate some powers and duties to other employees.
<b>Express Power or Duty Delegated:</b>	<i>Town of Cambridge Animals Local Law 2016:</i> Part 2 – Dogs Part 3 – Dog Kennel Establishment Part 9 – Enforcement
<b>Delegated to:</b>	<ol style="list-style-type: none"> <li><b>DIRECTOR PLANNING AND DEVELOPMENT.</b></li> <li><b>MANAGER REGULATORY SERVICES.</b></li> </ol>
<b>Function Delegated:</b>	Authority to issue notice to an occupier of a premises that their premises do not comply with Part 2 and 3 of the <i>Town of Cambridge Animals Local Law 2016</i> , and set out the measures required to address the non-compliance.
<b>Council Conditions on this Delegation:</b>	Not applicable.
<b>Express Power to Sub Delegate:</b>	Not applicable – sub delegation from CEO cannot be on delegated.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li><i>Dog Act 1976.</i></li> <li><i>Town of Cambridge Animals Local Law 2016.</i></li> </ol>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

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1	Approved	26.11.2019	Council	CR19.116	Annual Review
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## 2.2.13 Fencing

<b>Delegator:</b>	Chief Executive Officer
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO May delegate some powers and duties to other employees.
<b>Express Power or Duty Delegated:</b>	<i>Town of Cambridge Private Property Local Law 2016:</i> Part 2 – Fences 2.5 – General discretion of the local government. 2.8 – Prohibited fencing materials. Part 5 – Enforcement
<b>Delegated to:</b>	<ol style="list-style-type: none"> <li><b>DIRECTOR PLANNING AND DEVELOPMENT.</b></li> <li><b>MANAGER REGULATORY SERVICES.</b></li> </ol>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>Give consent to erection or repair of a fence that does not comply with the <i>Town of Cambridge Private Property Local Law 2016</i>.</li> <li>Cancel licence for electrified or razor wire fence.</li> <li>Issue notice of non-compliance or breach in relation to a fence.</li> </ol>
<b>Council Conditions on this Delegation:</b>	Not applicable.
<b>Express Power to Sub Delegate:</b>	Not applicable – sub delegation from CEO cannot be on delegated.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li><i>Dividing Fences Act 1961.</i></li> <li><i>Town of Cambridge Private Property Local Law 2016.</i></li> </ol>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	26.11.2019	Council	CR19.116	Annual Review
2		24.11.2020	Council		Annual Review



## 2.2.14 Activities Needing a Permit

<b>Delegator:</b>	Chief Executive Officer
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO May delegate some powers and duties to other employees.
<b>Express Power or Duty Delegated:</b>	<i>Town of Cambridge Local Government and Public Property Local Law 2017:</i> Part 3 – Permits 3.12 – Activities needing a permit.
<b>Delegated to:</b>	<ol style="list-style-type: none"> <li>1. <b>DIRECTOR CORPORATE AND COMMUNITY SERVICES.</b></li> <li>2. <b>DIRECTOR PLANNING AND DEVELOPMENT.</b></li> <li>3. <b>MANAGER REGULATORY SERVICES.</b></li> <li>4. <b>MANAGER COMMUNITY SERVICES.</b></li> </ol>
<b>Function Delegated:</b>	Issue a permit for any of the activities on local government property listed in the <i>Town of Cambridge Local Government and Public Property Local Law (3.12 – Activities needing a permit).</i>
<b>Council Conditions on this Delegation:</b>	Not applicable.
<b>Express Power to Sub Delegate:</b>	Not applicable – sub delegation from CEO cannot be on delegated.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>1. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>2. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. <i>Town of Cambridge Local Government and Public Property Local Law 2017.</i></li> </ol>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

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1	Approved	26.11.2019	Council	CR19.116	Annual Review
2		24.11.2020	Council		Annual Review



## 2.2.15 Permit Required to Camp Outside a Facility

<b>Delegator:</b>	Chief Executive Officer
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO May delegate some powers and duties to other employees.
<b>Express Power or Duty Delegated:</b>	<i>Town of Cambridge Local Government and Public Property Local Law 2017:</i> Part 3 - Permits 3.13 – Permit required to camp outside a facility.
<b>Delegated to:</b>	<ol style="list-style-type: none"> <li>1. <b>MANAGER REGULATORY SERVICES.</b></li> <li>2. <b>COORDINATOR RANGER AND COMMUNITY SAFETY SERVICES.</b></li> </ol>
<b>Function Delegated:</b>	Issue a permit to camp outside a facility.
<b>Council Conditions on this Delegation:</b>	Not applicable.
<b>Express Power to Sub Delegate:</b>	Not applicable – sub delegation from CEO cannot be on delegated.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>1. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>2. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. <i>Town of Cambridge Local Government and Public Property Local Law 2017.</i></li> <li>2. <i>Caravan Parks and Camping Grounds Act 1995.</i></li> </ol>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	26.11.2019	Council	CR19.116	Annual Review
2		24.11.2020	Council		Annual Review



## 2.2.16 Permit Required for Possession and Consumption of Liquor

<b>Delegator:</b>	Chief Executive Officer
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO May delegate some powers and duties to other employees.
<b>Express Power or Duty Delegated:</b>	<i>Town of Cambridge Local Government and Public Property Local Law 2017:</i> Part 3 - Permits 3.14 – Permit required for possession and consumption of liquor.
<b>Delegated to:</b>	<ol style="list-style-type: none"> <li>1. <b>DIRECTOR CORPORATE AND COMMUNITY SERVICES.</b></li> <li>2. <b>DIRECTOR PLANNING AND DEVELOPMENT.</b></li> <li>3. <b>MANAGER REGULATORY SERVICES.</b></li> <li>4. <b>MANAGER COMMUNITY SERVICES.</b></li> </ol>
<b>Function Delegated:</b>	Issue a permit for the possession and consumption of liquor on local government property.
<b>Council Conditions on this Delegation:</b>	Not applicable.
<b>Express Power to Sub Delegate:</b>	Not applicable – sub delegation from CEO cannot be on delegated.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>1. The <b>Director Corporate and Community Services</b> may approve an event or function where alcohol is to be consumed on local government property.</li> <li>2. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>3. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. <i>Town of Cambridge Local Government and Public Property Local Law 2017.</i></li> <li>2. <i>Liquor Control Act 1988.</i></li> </ol>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	26.11.2019	Council	CR19.116	Annual Review
2		24.11.2020	Council		Annual Review



## 2.2.17 Determine Applications for a Parking Permit

<b>Delegator:</b>	Chief Executive Officer
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO May delegate some powers and duties to other employees.
<b>Express Power or Duty Delegated:</b>	<i>Town of Cambridge Parking Local Law 2016:</i> Part 6 – Parking Permits
<b>Delegated to:</b>	<ol style="list-style-type: none"> <li>1. <b>MANAGER REGULATORY SERVICES.</b></li> <li>2. <b>COORDINATOR RANGER AND COMMUNITY SAFETY SERVICES.</b></li> </ol>
<b>Function Delegated:</b>	Determine applications for a parking permit.
<b>Council Conditions on this Delegation:</b>	Not applicable.
<b>Express Power to Sub Delegate:</b>	Not applicable – sub delegation from CEO cannot be on delegated.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>1. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>2. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. <i>Town of Cambridge Parking Local Law 2016.</i></li> </ol>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	26.11.2019	Council	CR19.116	Annual Review
2		24.11.2020	Council		Annual Review



## 2.2.18 Determine Applications for Establishment of a Construction Site

<b>Delegator:</b>	Chief Executive Officer
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO May delegate some powers and duties to other employees.
<b>Express Power or Duty Delegated:</b>	<i>Town of Cambridge Parking Local Law 2016:</i> Part 4 – Parking and Stopping Zones for Particular Vehicles 4.5 – Construction site vehicle parking.
<b>Delegated to:</b>	<ol style="list-style-type: none"> <li>1. <b>MANAGER REGULATORY SERVICES.</b></li> <li>2. <b>MANAGER TECHNICAL SERVICES AND WORKS.</b></li> <li>3. <b>COORDINATOR INFRASTRUCTURE DESIGN AND WASTE.</b></li> <li>4. <b>COORDINATOR RANGER AND COMMUNITY SAFETY SERVICES.</b></li> </ol>
<b>Function Delegated:</b>	Determine applications for the establishment of a construction site and associated parking.
<b>Council Conditions on this Delegation:</b>	Not applicable.
<b>Express Power to Sub Delegate:</b>	Not applicable – sub delegation from CEO cannot be on delegated.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>1. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>2. Delegation must be exercised in accordance with the Town’s ‘Standard Conditions’ relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. <i>Town of Cambridge Parking Local Law 2016.</i></li> </ol>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	26.11.2019	Council	CR19.116	Annual Review
2		24.11.2020	Council		Annual Review



## 2.2.19 Parking Signs

<b>Delegator:</b>	Chief Executive Officer
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO May delegate some powers and duties to other employees.
<b>Express Power or Duty Delegated:</b>	<i>Town of Cambridge Parking Local Law 2016:</i> Part 1 – Preliminary Part 2 – Parking Bays, Parking Stations and Parking Areas Part 5 – Other Places where Stopping is Restricted Part 7 - Miscellaneous
<b>Delegated to:</b>	<ol style="list-style-type: none"> <li>1. <b>MANAGER REGULATORY SERVICES.</b></li> <li>2. <b>MANAGER TECHNICAL SERVICES AND WORKS.</b></li> <li>3. <b>COORDINATOR INFRASTRUCTURE DESIGN AND WASTE.</b></li> <li>4. <b>COORDINATOR RANGER AND COMMUNITY SAFETY SERVICES.</b></li> </ol>
<b>Function Delegated:</b>	Approve the erection of signage of a type in the <i>Town of Cambridge Parking Local Law 2016</i> .
<b>Council Conditions on this Delegation:</b>	Not applicable.
<b>Express Power to Sub Delegate:</b>	Not applicable – sub delegation from CEO cannot be on delegated.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>1. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>2. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. <i>Town of Cambridge Parking Local Law 2016.</i></li> </ol>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	26.11.2019	Council	CR19.116	Annual Review
2		24.11.2020	Council		Annual Review



## Part 3 – Building Act 2011 Delegations

### Division 3.1 – Council to the Chief Executive Officer

#### 3.1.1 Grant a Building Permit

<b>Delegator:</b>	Local Government (Permit Authority)
<b>Express Power to Delegate:</b>	<i>Building Act 2011:</i> s127 – Delegation: special permit authorities and local governments.
<b>Express Power or Duty Delegated:</b>	<p><i>Building Act 2011:</i> s18 – Further information. s20 – Grant of building permit. s22 – Further grounds for not granting an application. s27 – Conditions imposed by permit authority.</p> <p><i>Building Regulations 2012:</i> Reg 23 - Application to extend time during which permit has effect. Reg 24 - Extension of time during which permit has effect. Reg 26 - Approval of new responsible person.</p>
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>1. Authority to require an applicant to provide any documentation or information required to determine a building permit application. [s18(1)]</li> <li>2. Authority to grant or refuse to grant a building permit [s20(1) and (2) and s22].</li> <li>3. Authority to impose, vary or revoke conditions on a building permit [s27(1) and (3)].</li> <li>4. Authority to determine an application to extend time during which building permit has effect [Reg 23].             <ol style="list-style-type: none"> <li>(a) Subject to being satisfied that work for which the building permit was granted has not been completed [Reg 24(1)]; or</li> <li>(b) The extension is necessary to allow rectification of defects of works for which the permit was granted.</li> </ol> </li> <li>5. Authority to approve, or refuse to approve, an application for a new responsible person for a building permit [Reg 26].</li> <li>6. Authority to impose any condition on the building permit extension that could have been imposed [s27 and Reg 24(2)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	Nil.
<b>Express Power to Sub Delegate:</b>	<i>Building Act 2011:</i> s127(6A) – Delegation: special permit authorities and local governments (powers of sub delegation limited to CEO).
<b>Sub Delegate(s):</b>	<ol style="list-style-type: none"> <li>1. <b>Director Planning and Development.</b></li> <li>2. <b>Manager Regulatory Services.</b></li> <li>3. <b>Senior Building Surveyor.</b></li> </ol>



<b>CEO Conditions on this Sub Delegation:</b>	Nil.
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. <i>Building Act 2011:</i> <ol style="list-style-type: none"> <li>(a) s119 – Building and demolition permits (application for review by SAT).</li> <li>(b) s23 – Time for deciding application for building or demolition permit.</li> <li>(c) s17 – Uncertified application to be considered by building surveyor.</li> </ol> </li> <li>2. <i>Building Regulations 2012:</i> <ol style="list-style-type: none"> <li>(a) Reg 25 – Review of decision to refuse to extend time during which permit has effect.</li> </ol> </li> <li>3. <i>Building Services (Registration Act) 2011:</i> <ol style="list-style-type: none"> <li>(a) s7 – Carrying out prescribed building service when not registered.</li> </ol> </li> <li>4. <i>Home Building Contracts Act 1991:</i> <ol style="list-style-type: none"> <li>(a) Part 3A – Home Indemnity Insurance and Corresponding Cover, Division 2 – Builders.</li> </ol> </li> <li>5. <i>Building and Construction Industry Training Levy Act 1990.</i></li> <li>6. <i>Heritage Act 2018.</i></li> </ol>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



### 3.1.2 Grant a Demolition Permit

<b>Delegator:</b>	Local Government (Permit Authority)
<b>Express Power to Delegate:</b>	<i>Building Act 2011:</i> s127 – Delegation: special permit authorities and local governments.
<b>Express Power or Duty Delegated:</b>	<p><i>Building Act 2011:</i> s18 – Further information. s21 – Grant a demolition permit. s22 – Further grounds for not granting an application. s27 – Conditions imposed by permit authority.</p> <p><i>Building Regulations 2012:</i> Reg 23 - Application to extend time during which permit has effect. Reg 24 - Extension of time during which permit has effect. Reg 26 - Approval of new responsible person.</p>
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>1. Authority to require an applicant to provide any documentation or information required to determine a building permit application [s18(1)].</li> <li>2. Authority to grant or refuse to grant a building permit [s20(1) and (2), and s22].</li> <li>3. Authority to impose, vary or revoke conditions on a building permit [s27(1) and (3)].</li> <li>4. Authority to determine an application to extend time during which a building permit has effect [Reg 23]:             <ol style="list-style-type: none"> <li>(a) Subject to being satisfied that work for which the building permit was granted has not been completed [Reg 24(1)]; or</li> <li>(b) The extension is necessary to allow rectification of defects of works for which the permit was granted.</li> </ol> </li> <li>5. Authority to approve, or refuse to approve, an application for a new responsible person for a building permit [Reg 26].</li> <li>6. Authority to impose any condition on the demolition permit extension that could have been imposed under s27 of the <i>Building Act 2011</i>.</li> </ol>
<b>Council Conditions on this Delegation:</b>	Nil.
<b>Express Power to Sub Delegate:</b>	<i>Building Act 2011:</i> s127(6A) – Delegation: special permit authorities and local governments (powers of sub delegation limited to CEO).
<b>Sub Delegate(s):</b>	<ol style="list-style-type: none"> <li>1. <b>Director Planning and Development.</b></li> <li>2. <b>Manager Regulatory Services.</b></li> <li>3. <b>Senior Building Surveyor.</b></li> </ol>
<b>CEO Conditions on this Sub Delegation:</b>	Nil.



<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. <i>Building Act 2011:</i> <ol style="list-style-type: none"> <li>(a) s119 – Building and demolition permits (application for review by SAT).</li> <li>(b) s23 – Time for deciding application for building or demolition permit.</li> </ol> </li> <li>2. <i>Building Services (Complaint Resolution and Administration) Act 2011.</i></li> <li>3. <i>Building and Construction Industry Training Levy Act 1990.</i></li> <li>4. <i>Heritage Act 2018.</i></li> </ol>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



### 3.1.3 Occupancy Permits and Building Approval Certificates

<b>Delegator:</b>	Local Government (Permit Authority)
<b>Express Power to Delegate:</b>	<i>Building Act 2011:</i> s127 – Delegation: special permit authorities and local governments.
<b>Express Power or Duty Delegated:</b>	<i>Building Act 2011:</i> s55 – Further information. s58 – Grant of occupancy permit, building approval certificate. s62 – Conditions imposed by permit authority. s65 – Extension of period of duration.  <i>Building Regulations 2012:</i> Reg 40 – Extension of period of duration of time limited occupancy permit or building approval certificate.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>1. Authority to require an applicant to provide any documentation or information required in order to determine an application [s55].</li> <li>2. Authority to grant, refuse to grant, or to modify an occupancy permit or building approval certificate [s58].</li> <li>3. Authority to impose, add, vary or revoke conditions on an occupancy permit [s62(1) and (30)].</li> <li>4. Authority to extend, or refuse to extend, the period in which an occupancy permit or modification or building approval certificate has effect [s65(4) and Reg 40].</li> </ol>
<b>Council Conditions on this Delegation:</b>	Nil.
<b>Express Power to Sub Delegate:</b>	<i>Building Act 2011:</i> s127(6A) – Delegation: special permit authorities and local governments (powers of sub delegation limited to CEO).
<b>Sub Delegate(s):</b>	<ol style="list-style-type: none"> <li>1. <b>Director Planning and Development.</b></li> <li>2. <b>Manager Regulatory Services.</b></li> <li>3. <b>Senior Building Surveyor.</b></li> </ol>
<b>CEO Conditions on this Sub Delegation:</b>	Nil.
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. <i>Building Act 2011:</i> <ol style="list-style-type: none"> <li>(a) s59 – Time for granting occupancy permit or building approval certificate.</li> <li>(b) s60 – Notice of decision not to grant occupancy permit or grant building approval certificate.</li> <li>(c) s121 – Occupancy permits and building approval certificates.</li> </ol> </li> <li>2. <i>Building Services (Complaint Resolution and Administration) Act 2011:</i> Part 7 – Financial Provisions, Division 2 – Building Services Levy.</li> <li>3. <i>Building and Construction Industry Training Levy Act 1990.</i></li> <li>4. <i>Heritage Act 2018.</i></li> </ol>



<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.
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Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



### 3.1.4 Designate Employees as Authorised Persons

<b>Delegator:</b>	Local Government (Permit Authority)
<b>Express Power to Delegate:</b>	<i>Building Act 2011:</i> s127 – Delegation: special permit authorities and local governments.
<b>Express Power or Duty Delegated:</b>	<i>Building Act 2011:</i> s96 – Authorised persons. s99 – Limitation on powers of authorised person.  <i>Building Regulations 2012:</i> Reg 70(1) and (2) – Approved officers and authorised officers.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	Authority to: <ol style="list-style-type: none"> <li>1. Appoint an employee as an Authorised Person [s96(3)].</li> <li>2. Appoint a specified employee to be an Approved Officer for the purposes of the <i>Criminal Procedure Act 2004</i> [s6(a), Reg 70(1)].</li> <li>3. Appoint a specified employee to be an Approved Officer for the purposes of the <i>Criminal Procedure Act 2004</i> [s6(b), Reg 70(1)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. A delegate who participated in a decision to issue an Infringement Notice must NOT determine any matter related to that Infringement Notice under this Delegation.</li> <li>2. Only qualified Authorised Persons may issue an Infringement Notice as per Function 1 and 2 above.</li> <li>3. Only the Manager Regulatory Services may extend the period to pay or withdraw an Infringement Notice as per Function 1 and 2 above.</li> <li>4. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>5. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> <li>6. Decisions under this Delegation should be in accordance with Reg 5 of the <i>Building Regulations 2012</i>.</li> </ol>
<b>Express Power to Sub Delegate:</b>	<i>Building Act 2011:</i> s127(6A) – Delegation: special permit authorities and local governments (powers of sub delegation limited to CEO).
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. <i>Building Act 2011:</i> s97 – Requires each person designated as an Authorised Person must have an identity card.</li> </ol>



	2. <i>Building Regulations 2012:</i> Reg 5A – Authorised persons.
<b>Record Keeping:</b>	1. Exercise of authority to be recorded in ECM. 2. A copy of the Authorisation and Delegations to be placed on Officer's personnel file.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



### 3.1.5 Building Orders

<b>Delegator:</b>	Local Government (Permit Authority)
<b>Express Power to Delegate:</b>	<i>Building Act 2011:</i> s127 – Delegation: special permit authorities and local governments.
<b>Express Power or Duty Delegated:</b>	<i>Building Act 2011:</i> s110 – Building orders. s111 – Notice of proposed Building Order other than Building Order (emergency). s117 – Revocation of Building Order. s118 – Permit authority may give effect to Building Order if non-compliance. s113 – Limitation on effect of Building Order.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>1. Authority to make Building Orders in relation to: <ol style="list-style-type: none"> <li>(a) Building work.</li> <li>(b) Demolition work.</li> <li>(c) An existing building or incidental structure.</li> </ol> </li> <li>2. Authority to give notice of a proposed Building Order and consider submissions received in response and determine actions.</li> <li>3. Authority to revoke a Building Order.</li> <li>4. If there is non-compliance with a Building Order, authority to cause an Authorised Person to: <ol style="list-style-type: none"> <li>(a) Take any action specified in the Order; or</li> <li>(b) Commence or complete any work specified in the Order; or</li> <li>(c) If any specified action was required by the Order to cease, to take such steps as are reasonable to cause the action to cease.</li> </ol> </li> <li>5. Authority to take court action to recover as debt, reasonable costs and expense incurred in doing anything in regard to non-compliance with a Building Order.</li> <li>6. Authority to initiate a prosecution pursuant to s133(1) for non-compliance with a Building Order made pursuant to s110 of the <i>Building Act 2011</i>.</li> <li>7. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>8. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. Decision under this Delegation should be in accordance with Reg 5 of the <i>Building Regulations 2012</i>.</li> </ol>
<b>Express Power to Sub Delegate:</b>	<i>Building Act 2011:</i> s127(6A) – Delegation: special permit authorities and local governments (power of sub delegation limited to CEO).



<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	1. <i>Building Act 2011:</i>  (a) Part 8 – Enforcement Division 5 – Building Orders s111 – Notice of proposed Building Order other than Building Order (emergency). s112 – Content of Building Order. s113 – Limitation on effect of Building Order. s114 – Service of Building Order.  (b) Part 9 – Review s122 – Building Orders.
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

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1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



### 3.1.6 Inspection and Copies of Building Records

<b>Delegator:</b>	Local Government (Permit Authority)
<b>Express Power to Delegate:</b>	<i>Building Act 2011:</i> s127 – Delegation: special permit authorities and local governments.
<b>Express Power or Duty Delegated:</b>	<i>Building Act 2011:</i> s131 – Inspection, copies of building records.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	Authority to determine an application from an interested person to inspect and copy a building record.
<b>Council Conditions on this Delegation:</b>	Nil.
<b>Express Power to Sub Delegate:</b>	<i>Building Act 2011:</i> s127(6A) – Delegation: special permit authorities and local governments (power of sub delegation limited to CEO).
<b>Sub Delegate(s):</b>	<ol style="list-style-type: none"> <li>1. <b>Director Planning and Development.</b></li> <li>2. <b>Manager Regulatory Services.</b></li> <li>3. <b>Senior Building Surveyor.</b></li> </ol>
<b>CEO Conditions on this Sub Delegation:</b>	Sub Delegates must ensure that the persons seeking access to any record have a legitimate reason to access such a record and set out such reasons in a Statutory Declaration.
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. <i>Building Act 2011:</i> Part 13 – General Provisions s146 – Confidentiality</li> </ol>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19	Annual Review
4		24.11.2020	Council		Annual Review



### 3.1.7 Referrals and Issuing Certificates

<b>Delegator:</b>	Local Government (Permit Authority)
<b>Express Power to Delegate:</b>	<i>Building Act 2011:</i> s127 – Delegation: special permit authorities and local governments.
<b>Express Power or Duty Delegated:</b>	<i>Building Act 2011:</i> s145A – Local government functions.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>Authority to refer uncertified applications under s17(1) to a building surveyor who is not employed by the local government [s145A(1)].</li> <li>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 Town's District [s145A(2)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	Nil.
<b>Express Power to Sub Delegate:</b>	<i>Building Act 2011:</i> s127(6A) – Delegation: special permit authorities and local governments (power of sub delegation limited to CEO).
<b>Sub Delegate(s):</b>	<ol style="list-style-type: none"> <li><b>Director Planning and Development.</b></li> <li><b>Manager Regulatory Services.</b></li> <li><b>Senior Building Surveyor.</b></li> </ol>
<b>CEO Conditions on this Sub Delegation:</b>	Nil.
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li><i>Building Act 2011.</i></li> </ol>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
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3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



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

<b>Delegator:</b>	Local Government (Permit Authority)
<b>Express Power to Delegate:</b>	<i>Building Act 2011:</i> s127 – Delegation: special permit authorities and local governments.
<b>Express Power or Duty Delegated:</b>	<i>Building Regulations 2012:</i> Reg 51 – Approvals by permit authority.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>1. Authority to approve requirements alternative to a fence, wall, gate or other component included in the barrier, if satisfied that the alternative requirements will restrict access by young children as effectively as if there were compliance with AS1926.1 [reg 51(2)].</li> <li>2. Authority to approve a door for the purposes of compliance with AS1926.1, 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 [Reg 51(3)].</li> <li>3. Authority to approve a performance solution to a Building Code pool barrier requirement, if satisfied that the performance solution complies with the relevant performance requirement [Reg 51(5)].</li> <li>4. Authority to reject those alternative requirements in functions 1 to 3 above, where the relevant criteria are considered to have not been satisfied.</li> </ol>
<b>Council Conditions on this Delegation:</b>	Nil.
<b>Express Power to Sub Delegate:</b>	<i>Building Act 2011:</i> s127(6A) – Delegation: special permit authorities and local governments (power of sub delegation limited to CEO).
<b>Sub Delegate(s):</b>	<ol style="list-style-type: none"> <li>1. <b>Director Planning and Development.</b></li> <li>2. <b>Manager Regulatory Services.</b></li> <li>3. <b>Senior Building Surveyor.</b></li> </ol>
<b>CEO Conditions on this Sub Delegation:</b>	Nil.
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. <i>Building Act 2011.</i></li> </ol>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

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3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



### 3.1.9 Template

<b>Delegator:</b>	Local Government (Permit Authority)
<b>Express Power to Delegate:</b>	<i>Building Act 2011:</i> s127 – Delegation: special permit authorities and local governments.
<b>Express Power or Duty Delegated:</b>	<i>Building Regulations 2012:</i> Reg 55 – Terms used (alternative building solution approval). Reg 61 – Local government approval of battery powered smoke alarms.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>Authority to approve alternative building solutions which meet the performance requirement of the Building Code relating to fire detection and early warning [Reg 55].</li> <li>Authority to approve or refuse to approve a batter powered smoke alarm and to determine the form of an application for such approval [Reg 61].</li> <li>Authority to reject alternative building solutions which do not meet the performance requirement of the Building Code relating to fire detection and early warning.</li> </ol>
<b>Council Conditions on this Delegation:</b>	Nil.
<b>Express Power to Sub Delegate:</b>	<i>Building Act 2011:</i> s127(6A) – Delegation: special permit authorities and local governments (power of sub delegation limited to CEO).
<b>Sub Delegate(s):</b>	<ol style="list-style-type: none"> <li><b>Director Planning and Development.</b></li> <li><b>Manager Regulatory Services.</b></li> <li><b>Senior Building Surveyor.</b></li> </ol>
<b>CEO Conditions on this Sub Delegation:</b>	Nil.
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li><i>Building Act 2011.</i></li> </ol>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

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4		24.11.2020	Council		Annual Review



### 3.1.10 Prosecution of Offences and Commence Proceedings

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.42 – Delegation of some powers or duties to the CEO. s5.43 – Limits on delegations to the CEO.
<b>Express Power or Duty Delegated:</b>	<i>Building Act 2011:</i> S133 – Prosecutions.  <i>Local Government Act 1995:</i> s9.24 – Prosecutions, commencing.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	Authority to commence proceedings for an offence under the <i>Building Act 2011</i> .
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. A prosecution or proceeding shall only be instituted in accordance with <b>Policy No: 022 – Compliance, Enforcement and Prosecution Policy</b>.</li> <li>2. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO may delegate some powers and duties to other employees.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. <b>Policy No: 022 – Compliance, Enforcement and Prosecution Policy</b>.</li> </ol>
<b>Record Keeping:</b>	Delegated Authority Form and Memorandum.

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4		24.11.2020	Council		Annual Review



## Part 4 – Bush Fires Act 1954

### Division 4.1 – Council to the Chief Executive Officer and Other Officers

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

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Bush Fires Act 1954:</i> s48 – Delegation by local government.
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> s13(4) – Duties and powers of Bush Fire Liaison Officers.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	Authority to request on behalf of the local government that the Fire and Emergency Services (FES) Commissioner authorise the Bush Fire Liaison Officer or another person to take control of fire operations [s13(4)].
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	Nil – sub delegation is prohibited by s48(3).
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li><i>Bush Fires Act 1954.</i></li> </ol>
<b>Record Keeping:</b>	Delegated Authority Form and Memorandum.

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1	Approved	24.04.2018	Council	10.4	Adopted
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4		24.11.2020	Council		Annual Review



#### 4.1.2 Prohibited Burning Times - Vary

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Bush Fires Act 1954:</i> s48 – Delegation by local government.
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> s17(7) – Prohibited burning times may be declared by Minister.
<b>Delegated to:</b>	<b>MAYOR AND CHIEF BUSH FIRE CONTROL OFFICER (JOINTLY)</b>
<b>Function Delegated:</b>	Authority, where seasonal conditions warrant it, to determine a variation of the prohibited burning times, after consultation with an Authorised Department of Conservation and Land Management (CALM) Act Officer [s17(7)].
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. Decisions under s17(7) must be undertaken jointly by both the Mayor and the Chief Bush Fire Control Officer, and must comply with the procedural requirements of s17(7B) and (8).</li> <li>2. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>3. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	Nil – sub delegation is prohibited by s48(3).
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	1. <i>Bush Fires Act 1954.</i>
<b>Record Keeping:</b>	Delegated Authority Form and Memorandum.

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4		24.11.2020	Council		Annual Review



### 4.1.3 Prohibited Burning Times – Control Activities

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Bush Fires Act 1954:</i> s48 – Delegation by local government.
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> s17(7) – Prohibited burning times may be declared by Minister.  <i>Bush Fire Regulations 1954:</i> Reg 15 – Permit to burn (Act s18) form of and apply for after refusal etc.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>1. Authority to determine permits to burn during prohibited burning times that have previously been refused by a Bush Fire Control Officer [Reg 15].</li> <li>2. Authority to determine, during a Prohibited Burning Time, if a firebreak around a landing ground for an aeroplane has been satisfactorily prepared [Reg 39B(2)].</li> <li>3. 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 [Reg 39B(3)].</li> <li>4. Authority to recover the cost of measures taken by the Town 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 s28(1) to take all possible measures to extinguish a fire on the land they occupy [s28(4)], including authority to recover expenses in any court of competent jurisdiction.</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. Decisions under s17(7) must be undertaken jointly by both the Mayor and the Chief Bush Fire Control Officer, and must comply with the procedural requirements of s17(7B) and (8).</li> <li>2. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>3. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	Nil – sub delegation is prohibited by s48(3).
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. <i>Bush Fires Act 1954.</i></li> </ol>
<b>Record Keeping:</b>	Delegated Authority Form and Memorandum.

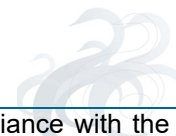


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4		24.11.2020	Council		Annual Review



#### 4.1.4 Restricted Burning Times – Vary and Control Activities

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Bush Fires Act 1954:</i> s48 – Delegation by local government.
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> Division 3 s18 – Restricted burning times may be declared by FES Commission. s22 – Burning on exempt land and land adjoining exempt land.  <i>Bush Fire Regulations 1954:</i> Reg 15C – Local government may prohibit burning on certain days.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>1. Authority, where seasonal conditions warrant it, and after consultation with an Authorised Department of Conservation and Land Management (CALM) Act Officer, to determine to vary the restricted burning times in respect of that year [s18(5)].             <ol style="list-style-type: none"> <li>(a) Authority to determine to prohibit burning on Sundays or specified days that are public holidays in the District [Reg 15C].</li> </ol> </li> <li>2. Authority, where a permitted burn fire escapes or is out of control in the opinion of the Bush Fire Control Officer, or an Officer of the Bush Fire Brigade, to determine to recoup bush fire brigade expenses arising from preventing extension of or extinguishing an out of control permitted burn [s18(11)].</li> <li>3. Authority to determine permits to burn during restricted times that have previously been refused by a Bush Fire Control Officer [Reg 15].</li> <li>4. Authority to arrange with the occupier of exempt land, the occupier of land adjoining it, and the Bush Fire Brigade to cooperate in burning firebreaks, and require the occupier of adjoining land to provide by the date of the burning, ploughed or cleared firebreaks parallel to the common boundary [s22(6) and (7)].</li> <li>5. Authority to determine, during a Restricted Burning Time, if a firebreak around a landing ground for an aeroplane has been satisfactorily prepared [Reg 39B].</li> <li>6. 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 [Reg 39B(3)].</li> <li>7. Authority to recover the cost of measures taken by the Town 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 s28(1) to take all possible measures to extinguish a fire on the land they occupy [s28(4)], including authority to recover expenses in any court of competent jurisdiction.</li> </ol>



<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>2. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	Nil – Sub delegation is prohibited by s48(3).
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	1. <i>Bush Fires Act 1954.</i>
<b>Record Keeping:</b>	Delegated Authority Form and Memorandum.

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4		24.11.2020	Council		Annual Review



#### 4.1.5 Burning Garden Refuse / Open Air Fires

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Bush Fires Act 1954:</i> s48 – Delegation by local government.
<b>Express Power or Duty Delegated:</b>	<p><i>Bush Fires Act 1954:</i> s24F – Burning garden refuse during limited burning times. s24G – Minister for local government may further restrict burning of garden refuse. s25 – No fire to be lit in open air unless certain precautions taken. s25A – Power of Minister to exempt from provisions of s25.</p> <p><i>Bush Fires Regulations 1954:</i> Reg 27(3) – Permit, issue of.</p>
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>1. Authority to give written permission, during prohibited times and restricted times, for an incinerator located within 2m of a building or fence, only where satisfied it is not likely to create a fire hazard [s24F(2)(b)(ii) and (4)].</li> <li>2. Authority to prohibit or impose restrictions on the burning of garden refuse that is otherwise permitted under s24F [s24G(2)].             <ol style="list-style-type: none"> <li>(a) Authority to issue directions to an Authorised Officer as to the manner in which, or the conditions under which permits to burn plants or plant refuse shall be issued in the District [Reg 27(3) and Reg 33(5)].</li> <li>(b) Authority to prohibit (object to) the issuing of a permit for the burning of a proclaimed plant growing upon any land within the District [Reg 34].</li> </ol> </li> <li>3. Authority to provide written approval, during prohibited times and restricted times, for fires to be lit for the purposes of:             <ol style="list-style-type: none"> <li>(a) Camping or cooking [s25(1)(a)].</li> <li>(b) Conversion of bush into charcoal, or for the production of lime, in consultation with an Authorised Department of Conservation and Land Management (CALM) Act Officer [s25(1)(b)].</li> </ol> </li> <li>4. Authority to prohibit the lighting of fires in the open air for the purposes of camping or cooking, for such period during the prohibited burning times, as specified in a note published in the Gazette and newspaper circulating in the District, and authority to vary such notice [s25(1a) and (1b)].</li> <li>5. Authority to serve written notice on a person to whom an exemption has been given under s25 for lighting a fire in the open air, prohibiting that person from lighting a fire and to determine conditions on the Notice [s25A(5)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> </ol>



	2. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.
<b>Express Power to Sub Delegate:</b>	Nil – Sub delegation is prohibited by s48(3).
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	1. <i>Bush Fires Act 1954.</i>
<b>Record Keeping:</b>	Delegated Authority Form and Memorandum.

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4		24.11.2020	Council		Annual Review



#### 4.1.6 Fire Breaks

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Bush Fires Act 1954:</i> s48 – Delegation by local government.
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> s33 – Local government may require occupier of land to plough or clear firebreaks.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>1. Authority to give written notice to an owner or occupier of land, or all owners or occupiers of land within the District, requiring to the satisfaction of the Town: <ol style="list-style-type: none"> <li>(a) Clearing of firebreaks, as determined necessary and specified in the notice; and</li> <li>(b) Act in respect to anything which is on the land and is, or is likely to be, conducive to the outbreak of a bush fire or the spread or extension of a bush fire; and</li> <li>(c) As a separate or coordinated action with any other person, carry out similar actions [s33(1)].</li> </ol> </li> <li>2. Authority to direct a Bush Fire Control Officer, or any other employee, to enter onto the land of an owner or occupier to carry out the requisitions of the notice which have not been complied with [s33(4)]. <ol style="list-style-type: none"> <li>(a) Authority to recover any costs and expenses incurred in doing the acts, matters or things required to carry out the requisitions of the notice [s33(5)].</li> </ol> </li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>2. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	Nil – Sub delegation is prohibited by s48(3).
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. <i>Bush Fires Act 1954.</i></li> </ol>
<b>Record Keeping:</b>	Delegated Authority Form and Memorandum.



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

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Bush Fires Act 1954:</i> s48 – Delegation by local government.
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> s27D – Requirements for carriage and deposit of incendiary material.  <i>Bush Fires Regulations 1954:</i> Reg 39C – Welding and cutting apparatus, use of in open air. Reg 39CA – Bee smoker devices, use of in restricted or prohibited burning times etc. Reg 39D – Explosives, use of. Reg 39E – Fireworks, use of.
<b>Delegated to:</b>	<ol style="list-style-type: none"> <li>1. <b>CHIEF EXECUTIVE OFFICER.</b></li> <li>2. <b>CHIEF BUSH FIRE CONTROL OFFICER.</b></li> <li>3. <b>DEPUTY CHIEF BUSH FIRE CONTROL OFFICER.</b></li> </ol>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>1. Authority to give directions to a Bush Fire Control Officer regarding matters necessary for the prevention of fire arising from: <ul style="list-style-type: none"> <li>(a) A person operating a bee smoker device during a prescribed period.</li> <li>(b) A person operating welding apparatus, a power operated abrasive cutting disc.</li> <li>(c) A person using explosives.</li> <li>(d) A person using fireworks.</li> </ul> </li> <li>2. Authority to determine directions or requirements for the carriage and deposit of incendiary materials (hot or burning ash, cinders, hot furnace refuse, or any combustible matter that is burning).  <i>Note: This Authority is also prescribed to a Bush Fire Control Officer, a Bush Fire Liaison Officer, or an Authorised Department of Conservation and Land Management (CALM) Act Officer.</i></li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. Delegated Function 1 may only be exercised by the CEO and Chief Bush Fire Control Officer.</li> </ol>
<b>Express Power to Sub Delegate:</b>	Nil – Sub delegation prohibited by s48(3).
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. <i>Bush Fires Act 1954.</i></li> </ol>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.



Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



#### 4.1.8 Appoint Bush Fire Control Officers and fire Weather Officer

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Bush Fires Act 1954:</i> s48 – Delegation by local government.
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> s38 – Local government may appoint Bush Fire Control Officer.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>1. Authority to appoint persons to be Bush Fire Control Officers for the purposes of the <i>Bush Fires Act 1954</i>; and             <ol style="list-style-type: none"> <li>(a) Of those Officers, appoint two as the Chief Bush Fire Control Officer and Deputy Chief Bush Fire Control Officer; and</li> <li>(b) Determine the respective seniority of the other Bush Fire Control Officers so appointed.</li> </ol> </li> <li>2. Authority to issue directions to a Bush Fire Control Officer to burn on or at the margins of a road reserve under the care, control and management of the Town.</li> <li>3. Authority to appoint a Fire Weather Officer, selected from senior Bush Fire Control Officers previously appointed, and where more than one Fire Weather Officer is appointed, define a part of the District in which each Fire Weather Officer shall have exclusive right to exercise the powers of s38(17).</li> <li>4. Authority to appoint Deputy Fire Weather Officer(s) as considered necessary and where two or more Deputies are appointed, determine seniority.</li> </ol>
<b>Council Conditions on this Delegation:</b>	Nil.
<b>Express Power to Sub Delegate:</b>	Nil – Sub delegation prohibited by s48(3).
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	1. <i>Bush Fires Act 1954.</i>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



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

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Bush Fires Act 1954:</i> s48 – Delegation by local government.
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> s58 – General penalty and recovery of expenses incurred.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	Authority to recover expenses incurred as a result of an offence against the <i>Bush Fires Act 1954</i> , being expenses incurred through the fulfilment of a duty, or doing anything for which the Act empowered or required the Town or those on behalf of the Town to do.
<b>Council Conditions on this Delegation:</b>	Nil.
<b>Express Power to Sub Delegate:</b>	Nil – Sub delegation prohibited by s48(3).
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	1. <i>Bush Fires Act 1954.</i>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	Cr19.116	Annual Review
4		24.11.2020	Council		Annual Review



#### 4.1.10 Authority to Serve Infringement Notices

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Bush Fires Act 1954:</i> s48 – Delegation by local government.
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> s59A – Alternative procedure – infringement notices.
<b>Delegated to:</b>	<ol style="list-style-type: none"> <li>1. <b>CHIEF EXECUTIVE OFFICER.</b></li> <li>2. <b>CHIEF BUSH FIRE CONTROL OFFICER.</b></li> <li>3. <b>DEPUTY CHIEF BUSH FIRE CONTROL OFFICER.</b></li> <li>4. <b>BUSH FIRE CONTROL OFFICER.</b></li> </ol>
<b>Function Delegated:</b>	Authority to serve an Infringement Notice for an offence against this Act.
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. A prosecution or proceeding shall only be instituted in accordance with <b>Policy No: 022 – Compliance, Enforcement and Prosecution Policy.</b></li> <li>2. An Officer who participated in a decision to issue an Infringement Notice must NOT determine any matter related to that Infringement Notice under this Delegation.</li> <li>3. Only qualified Authorised Persons may issue an Infringement Notice, as per above.</li> <li>4. Only the CEO may extend the period to pay an Infringement Notice.</li> <li>5. Only the CEO may withdraw an Infringement Notice.</li> <li>6. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>7. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	Nil – Sub delegation prohibited by s48(3).
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. <i>Bush Fires Act 1954:</i> <ol style="list-style-type: none"> <li>(a) s65 – Proof of certain matters.</li> <li>(b) s66 – Proof of ownership or occupancy.</li> </ol> </li> </ol>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.



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1	Approved	24.04.2018	Council	10.4	Adopted
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4		24.11.2020	Council		Annual Review



#### 4.1.11 Withdrawal of Infringement Notices

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Bush Fires Act 1954:</i> s48 – Delegation by local government.
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> s59A – Alternative procedure – infringement notices.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	Authority to withdraw an Infringement Notice for an offence against this Act.
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. A prosecution or proceeding shall only be instituted in accordance with <b>Policy No: 022 – Compliance, Enforcement and Prosecution Policy</b>.</li> <li>2. An Officer who participated in a decision to issue an Infringement Notice must NOT determine any matter related to that Infringement Notice under this Delegation.</li> <li>3. Only qualified authorised Persons may issue an Infringement Notice, as per above.</li> <li>4. Only the CEO may extend the period to pay an Infringement Notice.</li> <li>5. Only the CEO may withdraw an Infringement Notice.</li> <li>6. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>7. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	Sub delegation is prohibited by s48(3).
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. <i>Bush Fires Act 1954:</i> <ol style="list-style-type: none"> <li>(a) s65 – Proof of certain matters.</li> <li>(b) s66 – Proof of ownership or occupancy.</li> </ol> </li> </ol>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

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1	Approved	24.04.2018	Council	10.4	Adopted
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4		24.11.2020	Council		Annual Review



#### 4.1.12 Prosecution of Offences and commencement of Legal Proceedings

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Bush Fires Act 1954:</i> s48 – Delegation by local government.
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> s59 – Prosecution of offences.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	Authority to institute and carry on proceedings against a person for an offence alleged to be committed against this Act.
<b>Council Conditions on this Delegation:</b>	1. Any action should be in accordance with <b>Policy No: 022 – Compliance, Enforcement and Prosecution Policy.</b>
<b>Express Power to Sub Delegate:</b>	Nil – Sub delegation prohibited by s48(3).
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	1. <i>Bush Fires Act 1954:</i> (a) s65 – Proof of certain matters. (b) s66 – Proof of ownership or occupancy.
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

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1	Approved	24.04.2018	Council	10.4	Adopted
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3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



## Part 5 – Cat Act 2011

### Division 5.1 – Council to the Chief Executive Officer

#### 5.1.1 Cat Registrations

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Cat Act 2011:</i> s44 – Delegation by local government.
<b>Express Power or Duty Delegated:</b>	<i>Cat Act 2011:</i> s9 – Registration. s10 – Cancellation of registration. s11 – Registration numbers, certificates and tags.  <i>Cat Regulations 2012:</i> Schedule 3, Clause 1(4) – Fees payable.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>1. Authority to grant, or refuse to grant, a cat registration or renewal of a cat registration.</li> <li>2. Authority to refuse to consider an application for registration or renewal where an applicant does not comply with a requirement to give any document or information required to determine the application.</li> <li>3. Authority to cancel a cat registration.</li> <li>4. Authority to give the cat owner a new registration certificate or tag, if satisfied that the original has been stolen, lost, damaged or destroyed.</li> <li>5. Authority to reduce or waive a registration or approval to breed fee, in respect of any individual cat or any class of cats within the Town's District.</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the <i>Cat Act 2011</i>.</li> </ol>
<b>Express Power to Sub Delegate:</b>	<i>Cat Act 2011:</i> s44 – Delegation by local government.
<b>Sub Delegate(s):</b>	<ol style="list-style-type: none"> <li>1. <b>Director Planning and Development.</b></li> <li>2. <b>Manager Regulatory Services.</b></li> <li>3. <b>Coordinator Ranger and community Safety Services.</b></li> <li>4. <b>Senior Ranger.</b></li> <li>5. <b>All Rangers.</b></li> <li>6. <b>Administration Officer.</b></li> <li>7. <b>Coordinator Health and Compliance.</b></li> <li>8. <b>Environmental Health Officer.</b></li> </ol>
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>1. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> </ol>



	<p>2. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</p> <p>3. Delegated Function 5 is only sub delegated to the Manager Regulatory Services.</p>
<b>Compliance Links:</b>	<p>1. <i>Cat Regulations 2012:</i></p> <ul style="list-style-type: none"> <li>(a) Reg 11 – Application for registration prescribes the form of applications for registration.</li> <li>(b) Reg 12 - Period of registration.</li> <li>(c) Reg 13 – Changes in registration.</li> <li>(d) Reg 14 – Registration certificate.</li> <li>(e) Reg 15 – Registration tags.</li> </ul> <p>2. Decisions are subject to Objection and Review by the State Administrative Tribunal (SAT) rights – refer Part 4, Division 5 of the <i>Cat Act 2011</i>.</p>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
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3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



## 5.1.2 Cat Control Notice

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Cat Act 2011:</i> s44 – Delegation by local government.
<b>Express Power or Duty Delegated:</b>	<i>Cat Act 2011:</i> s26 – Cat Control Notice may be given to cat owner.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	Authority to give a Cat Control Notice to a person who is the owner of a cat ordinarily kept within the Town's district.
<b>Council Conditions on this Delegation:</b>	Nil.
<b>Express Power to Sub Delegate:</b>	<i>Cat Act 2011:</i> s45 – Delegation by CEO of local government.
<b>Sub Delegate(s):</b>	<ol style="list-style-type: none"> <li>1. <b>Director Planning and Development.</b></li> <li>2. <b>Manager Regulatory Services.</b></li> </ol>
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>1. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>2. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Compliance Links:</b>	<i>Cat Regulations 2012:</i> Reg 20 Cat Control Notice, prescribes the Form of the Notice.
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



### 5.1.3 Appoint Authorised Persons

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Cat Act 2011:</i> s44 – Delegation by local government.
<b>Express Power or Duty Delegated:</b>	<i>Cat Act 2011:</i> s44 – Delegation by local government. s45 – Delegation by CEO of local government to an employee. s48 – Authorised Persons.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	Authority to appoint Authorised Persons by issuing a Certificate of Authorisation.
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. A Register of Authorised Persons is to be maintained as a Local Government Record.</li> <li>2. Only persons who are appropriately qualified and trained may be appointed as Authorised Persons.</li> <li>3. Only an Authorised Person may administer the provisions of the <i>Cat Act 2011</i>.</li> <li>4. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>5. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	<i>Cat Act 2011:</i> s45 – Delegation by CEO of local government.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	1. <i>Cat Act 2011</i> .
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

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4		24.11.2020	Council		Annual Review



### 5.1.4 Application to Keep Additional Cats

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Cat Act 2011:</i> s44 – Delegation by local government.
<b>Express Power or Duty Delegated:</b>	<i>Cat (Uniform Local Provisions) Regulations 2013:</i> Reg 8 – Application to keep additional number of cats. Reg 9 – Grant approval to keep additional number of cats.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>1. Authority to require any document or additional information necessary to determine an application.</li> <li>2. Authority to refuse to consider an application if the applicant does not comply with a requirement to provide any document or information necessary to determine an application.</li> <li>3. Authority to grant or refuse approval for additional number of cats specified in an application, to be kept at the prescribed premises, and to determine any condition reasonably necessary to ensure premises are suitable for the additional number of cats.</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. Notices of decisions must include advice as to review rights in accordance with Reg 11 of the <i>Cat (Uniform Local Provisions) Regulations 2013</i>.</li> </ol>
<b>Express Power to Sub Delegate:</b>	<i>Cat Act 2011:</i> s45 – Delegation by CEO of local government.
<b>Sub Delegate(s):</b>	<ol style="list-style-type: none"> <li>1. <b>Director Planning and Development.</b></li> <li>2. <b>Manager Regulatory Services.</b></li> <li>3. <b>Coordinator Ranger Services and Community Safety.</b></li> </ol>
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>1. Notices of decisions must include advices as to review rights in accordance with Reg 11 of the <i>Cat (Uniform Local Provisions) Regulations 2013</i>.</li> <li>2. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>3. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. <i>Cat (Uniform Local Provisions) Regulations 2013:</i></li> <li>2. <i>Health Local Law 2003.</i></li> </ol>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.



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1	Approved	24.04.2018	Council	10.4	Adopted
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4		24.11.2020	Council		Annual Review



## 5.1.5 Approval to Breed Cats

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Cat Act 2011:</i> s44 – Delegation by local government.
<b>Express Power or Duty Delegated:</b>	<i>Cat Act 2011:</i> s37 – <i>Approval to breed cats.</i> s38 – <i>Cancellation of approval to breed cats.</i> s39 – <i>Certificate to be given to approved cat breeder.</i>
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>1. Authority to grant or refuse to grant approval or renew an approval to breed cats [s37(1) and (2)].</li> <li>2. Authority to refuse to consider an application for registration or renewal where an applicant does not comply with a requirement to give any document or information necessary to determine the application [s37(4)].</li> <li>3. Authority to cancel an approval to breed cats [s38].</li> <li>4. Authority to give an approved breeder a new certificate or tag, if satisfied that the original has been stolen, lost, damaged or destroyed [s39(2)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. Notices of decisions must include advice as to objection and review rights in accordance with Part 4, Division 5 of the <i>Cat Act 2011</i>.</li> <li>2. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>3. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	<i>Cat Act 2011:</i> s45 – Delegation by CEO of local government.
<b>Sub Delegate(s):</b>	<ol style="list-style-type: none"> <li>1. <b>Manager Regulatory Services.</b></li> <li>2. <b>Coordinator Ranger Services and Community Safety.</b></li> </ol>
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>1. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>2. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. <i>Cat Regulations 2012.</i></li> </ol>
<b>Record Keeping:</b>	Delegated Authority Form and Memorandum.



Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



## 5.1.6 Prosecution of Offences and Commencement of Legal Proceedings

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<p><i>Local Government Act 1995:</i>  s9.24 – Prosecutions, commencing.  s5.42 – Delegation of some powers or duties to the CEO.  s5.43 – Limits on delegations to the CEO.</p> <p><i>Cat Act 2011:</i>  s44 - Delegation by local government.</p>
<b>Express Power or Duty Delegated:</b>	<i>Cat Act 2011:</i> s73 – Commencing prosecutions.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	Authority to commence proceedings for an offence under the <i>Cat Act 2011</i> , Regulations and Local Laws.
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. A prosecution or proceeding shall only be instituted in accordance with the <b>Policy No: 022 – Compliance, Enforcement and Prosecution Policy</b>.</li> <li>2. Delegation must be exercised in accordance with the Town’s ‘Standard Conditions’ relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO may delegate some powers and duties to other employees.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	1. <b>Policy No: 022 – Compliance, Enforcement and Prosecution Policy</b> .
<b>Record Keeping:</b>	Delegated Authority Form and Memorandum.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



## Division 5.2 – Chief Executive Officer to Employees

### 5.2.1 Infringement Notices – Extension and Withdrawals

<b>Delegator:</b>	Chief Executive Officer
<b>Express Power to Delegate:</b>	<i>Cat Act 2011:</i> s45 – Delegation by CEO of local government.
<b>Express Power or Duty Delegated:</b>	<i>Cat Act 2011:</i> s65 – Withdrawal of notice.
<b>Delegated to:</b>	<ol style="list-style-type: none"> <li>1. <b>DIRECTOR PLANNING AND DEVELOPMENT.</b></li> <li>2. <b>MANAGER REGULATORY SERVICES.</b></li> </ol>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>1. Authority to extend the period of 28 days within which the modified penalty may be paid and the extension may be allowed whether or not the period of 28 days has elapsed.</li> <li>2. Authority, within one year of the Infringement Notice being given, and whether or not the modified penalty has been paid, to withdraw an Infringement Notice.</li> </ol>
<b>Council Conditions on this Delegation:</b>	Not applicable.
<b>Express Power to Sub Delegate:</b>	Not applicable – sub delegation from CEO cannot be on delegated.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>1. Notices of decision must include advice as to review rights in accordance with Reg 11 of the <i>Cat (Uniform Local Provisions) Regulations 2013</i>.</li> <li>2. The CEO may further delegate (sub delegate) to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.</li> <li>3. A delegate who participated in a decision to issue an Infringement Notice must NOT determine any matter related to that Infringement Notice under this Delegation.</li> <li>4. Only qualified Authorised Persons may issue an Infringement Notice.</li> <li>5. Only a person Authorised and Delegated with the power may extend the period to pay or withdraw an Infringement Notice as per Functions 1 and 2 above.</li> <li>6. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>7. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>



<b>Compliance Links:</b>	1. <i>Cat Regulations 2012:</i> s28 – Withdrawal of Infringement Notice.
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	26.11.2019	Council	CR19.116	Annual Review
2		24.11.2020	Council		Annual Review



## Part 6 – Dog Act 1976

### Division 6.1 – Council to the Chief Executive Officer

#### 6.1.1 Refuse or Cancel Registration

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Dog Act 1976:</i> s10AA – Delegation of local government powers and duties.
<b>Express Power or Duty Delegated:</b>	<i>Dog Act 1976:</i> Reg 15 – Registration periods and fees. Reg 16 – Registration procedure. Reg 17A – If no application for registration made. Reg 17 – Refusal or cancellation of registration.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>1. Authority to determine to refuse a dog registration and refund the fee, if any.</li> <li>2. Authority to direct the Registration Officer to refuse to effect or renew or to cancel the registration of a dog, and to give notice of such decisions, where: <ol style="list-style-type: none"> <li>(a) The applicant, owner or registered owner, has been convicted of an offence or paid a modified penalty within the past three (3) years in respect of two (2) or more offences against this Act, the <i>Cat Act 2011</i> or the <i>Animal Welfare Act 2002</i>; or</li> <li>(b) The dog is determined to be destructive, unduly mischievous, or to be suffering from a contagious or infectious disease; or</li> <li>(c) The Delegate is not satisfied that the dog is or will be effectively confined in or at premises where the dog is ordinarily kept; or</li> <li>(d) The dog is required to be microchipped but is not microchipped; or</li> <li>(e) The dog is a dangerous dog.</li> </ol> </li> <li>3. Authority to discount or waive a registration fee, including a concessional fee, for any individual dog, or any class of dogs within the Town's District.</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. The CEO may further delegate (sub delegate) to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.</li> </ol>
<b>Express Power to Sub Delegate:</b>	<i>Dog Act 1976:</i> s10AA(3) – Delegation of local government powers and duties.  Note: Sub delegation only permitted where delegation to the CEO expressly authorises sub delegation).



<b>Sub Delegate(s):</b>	<ol style="list-style-type: none"> <li>1. <b>Director Planning and Development.</b></li> <li>2. <b>Manager Regulatory Services.</b></li> </ol>
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>1. Only the CEO shall exercise the delegation to declare a dog dangerous.</li> </ol>
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. <i>Dog Act 1976:</i> S17A – If no application for registration made – procedure for giving notice of decision under s16(3).</li> <li>2. <i>Town of Cambridge Animals Local Law 2016.</i></li> </ol> <p>Note: Decisions under this Delegation may be referred for review by the State Administrative Tribunal (SAT) [s16A, 17(4) and (6)].</p>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
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3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



## 6.1.2 Seize a Dog

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Dog Act 1976:</i> s10AA – Delegation of local government powers and duties.
<b>Express Power or Duty Delegated:</b>	<i>Dog Act 1976:</i> s15 – Registration periods and fees. s16 – Registration procedures. s17A – If no application for registration made. s17 – Refusal or cancellation of registration.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>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 Administrative Tribunal (SAT) for the decision to be reviewed.</li> <li>Authority, following seizure, to determine to cause the dog to be detained or destroyed, or otherwise disposed of, as though it had been found in contravention of s31, s32 or s33A, and had not been claimed.</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>The CEO may further delegate (sub delegate) to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.</li> </ol>
<b>Express Power to Sub Delegate:</b>	<i>Dog Act 1976:</i> s10AA(3) – Delegation of local government powers and duties.  Note: Sub delegation only permitted where delegation to the CEO expressly authorises sub delegation.
<b>Sub Delegate(s):</b>	<ol style="list-style-type: none"> <li><b>Director Planning and Development.</b></li> <li><b>Manager Regulatory Services.</b></li> </ol>
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li><i>Dog Act 1976:</i> S17A – If no application for registration made – procedure for giving notice of decision under s16(3).</li> <li><i>Animals Local Law 2016:</i></li> </ol> <p>Note: Decisions under this Delegation may be referred for review by the State Administrative Tribunal (SAT) [s16A, s17(4) and (6)].</p>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.



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4		24.11.2020	Council		Annual Review



### 6.1.3 Appoint Authorised Persons

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Dog Act 1976:</i> s10AA – Delegation of local government powers and duties.
<b>Express Power or Duty Delegated:</b>	<i>Dog Act 1976:</i> s11 – Staff and services.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>1. Authority to appoint Registration Officers to exercise the powers and duties conferred on a Registration Officer by this Act.</li> <li>2. Authority to appoint authorised persons to exercise the powers conferred on an Authorised Person by this Act, <i>Dog Regulations 1976</i>, and <i>Town of Cambridge Animals Local Law 2016</i>.</li> </ol>
<b>Council Conditions on this Delegation:</b>	Nil.
<b>Express Power to Sub Delegate:</b>	<i>Dog Act 1976:</i> s10AA(3) – Delegation of local government powers and duties.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. <i>Dog Act 1976:</i></li> <li>2. <i>Town of Cambridge Animals Local Law 2016.</i></li> </ol>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

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1	Approved	24.04.2018	Council	10.4	Adopted
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4		24.11.2020	Council		Annual Review



## 6.1.4 Recovery of Monies Due Under this Act

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Dog Act 1976:</i> s10AA – Delegation of local government powers and duties.
<b>Express Power or Duty Delegated:</b>	<i>Dog Act 1976:</i> s29 – Power to seize dogs.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	Authority to recover monies in a court of competent jurisdiction, due in relation to a dog for which the owner is liable.
<b>Council Conditions on this Delegation:</b>	1. The CEO may further delegate (sub delegate) to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.
<b>Express Power to Sub Delegate:</b>	<i>Dog Act 1976:</i> s10AA(3) – Delegation of local government powers and duties.  Note: Sub delegation only permitted where delegation to the CEO expressly authorises sub delegation.
<b>Sub Delegate(s):</b>	1. <b>Director Planning and Development.</b> 2. <b>Manager Regulatory Services.</b>
<b>CEO Conditions on this Sub Delegation:</b>	1. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).  2. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.
<b>Compliance Links:</b>	1. <i>Dog Act 1976:</i> (a) Includes recovery of expenses relevant to s30A(3) – Operator of dog management facility may have dog microchipped at owner's expense. (b) s33M – Local government expenses to be recoverable. (c) s47 – Veterinary service expenses recoverable from local government.  2. <i>Dog Regulations 2013:</i> (a) s31 – Local government expenses as to dangerous dogs (declared).  3. <i>Town of Cambridge Animals Local Law 2016.</i>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
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4		24.11.2020	Council		Annual Review



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

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Dog Act 1976:</i> s10AA – Delegation of local government powers and duties.
<b>Express Power or Duty Delegated:</b>	<i>Dog Act 1976:</i> s29 – Power to seize dogs.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	Authority to dispose of or sell a dog which is liable to be destroyed.
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>The CEO may further delegate (sub delegate) to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.</li> <li>Proceeds from the sale of dogs are to be directed into the Municipal Fund.</li> </ol>
<b>Express Power to Sub Delegate:</b>	<i>Dog Act 1976:</i> s10AA(3) – Delegation of local government powers and duties.  Note: Sub delegation only permitted where delegation to the CEO expressly authorises sub delegation.
<b>Sub Delegate(s):</b>	<ol style="list-style-type: none"> <li><b>Director Planning and Development.</b></li> <li><b>Manager Regulatory Services.</b></li> </ol>
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li><i>Dog Act 1976.</i></li> <li><i>Town of Cambridge Animals Local Law 2016.</i></li> </ol>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

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4		24.11.2020	Council		Annual Review



## 6.1.6 Declare a Dangerous Dog

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Dog Act 1976:</i> s10AA – Delegation of local government powers and duties.
<b>Express Power or Duty Delegated:</b>	<i>Dog Act 1976:</i> s33E(1) – Individual dog may be declared to be a dangerous dog (declared).
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	Authority to declare an individual dog to be a dangerous dog [s33E(1)].
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. The CEO may further delegate (sub delegate) to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.</li> <li>2. Prior to an individual dog being declared dangerous, an Authorised Person delegated the authority to issue such a Notice, must consider a report about the dog, from the following: <ol style="list-style-type: none"> <li>(a) A qualified veterinarian;</li> <li>(b) A suitably qualified and accredited animal behaviourist (preferably dog), acting in an independent capacity; or</li> <li>(c) A separate Ranger involved in the investigation of a serious dog attack;</li> </ol> </li> <li>2. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>3. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	<i>Dog Act 1976:</i> s10AA(3) – Delegation of local government powers and duties.  Note: Sub delegation only permitted where delegation to the CEO expressly authorises sub delegation.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. <i>Dog Act 1976.</i></li> </ol> <p>Note: Decisions under this Delegation may be referred for review by the State Administrative Tribunal (SAT).</p>
<b>Record Keeping:</b>	Delegated Authority Form and Memorandum.



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1	Approved	24.04.2018	Council	10.4	Adopted
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## 6.1.7 Dangerous Dog Declared or Seized – Deal with Objections and Determine when to Revoke

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Dog Act 1976:</i> s10AA – Delegation of local government powers and duties.
<b>Express Power or Duty Delegated:</b>	<i>Dog Act 1976:</i> s33F – Owners to be notified of making of declaration. s33G – Seizure and destruction. s33H – Local government may revoke declaration or proposal to destroy.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>1. Authority to consider and determine to either dismiss or uphold an objection to the declaration of a dangerous dog [s33F(6)].</li> <li>2. Authority to consider and determine to either dismiss or uphold an objection to seizure of a dangerous dog [s33G(4)].</li> <li>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 [s33H(1)].</li> <li>4. 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 [s33H(2)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. The CEO may further delegate (sub delegate) to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.</li> <li>2. Delegation not to be exercised by the Officer who declare a dog to be a dangerous dog.</li> <li>3. An Authorised Person who participated in a decision to issue a Dangerous Dog Declaration must NOT determine any review matter related to that Dangerous Dog Declaration under this Delegation.</li> <li>4. The Town may be prepared to review the Declaration Notice after a period of twelve (12) months, subject to the following: <ol style="list-style-type: none"> <li>(a) The Owner shall enrol (at his/her own expense) the dog in an accredited and recognised dog training course, approved by the Town;</li> <li>(b) The Owner and the dog satisfactorily complete the training course;</li> <li>(c) Upon completion of the dog training course, the Owner (at his/her own expense) shall: <ol style="list-style-type: none"> <li>(i) Provide an Attendance register, certified by the Dog Training Course Controller, indicating the dates, hours and subject of each training date attended by the Owner;</li> </ol> </li> </ol> </li> </ol>



	<p>(ii) Provide a report from a suitably qualified and accredited animal trainer, certifying that the dog is suitably trained to an appropriate level, approved by the Town; and</p> <p>(iii) Provide a report from a suitably qualified and accredited animal behaviourist (preferably dog), acting in an independent basis, approved by the Town, certifying that in their opinion the dog is no longer considered a 'Dangerous Dog'.</p>
<b>Express Power to Sub Delegate:</b>	<p><i>Dog Act 1976:</i> s10AA(3)- Delegation of local government powers and duties.</p> <p>Note: Sub delegation only permitted where delegation to the CEO expressly authorises sub delegation.</p>
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	<p>1. <i>Dog Act 1976:</i></p> <p>2. <i>Town of Cambridge Animals Local Law 2016.</i></p> <p>Note: Decisions under this Delegation may be referred for review by the State Administrative Tribunal (SAT).</p>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

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4		24.11.2020	Council		Annual Review



## 6.1.8 Deal with Objection to Notice to Revoke Dangerous Dog Declaration or Destruction Notice

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Dog Act 1976:</i> s10AA – Delegation of local government powers and duties.
<b>Express Power or Duty Delegated:</b>	<i>Dog Act 1976:</i> s33H – Local government may revoke declaration or proposal to destroy.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	Authority to consider and determine to either dismiss or uphold an objection to a decision to revoke: <ol style="list-style-type: none"> <li>A notice declaring a dog to be dangerous; or</li> <li>A notice proposing to cause a dog to be destroyed.</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>The CEO may further delegate (sub delegate) to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.</li> <li>Delegation not to be exercised by the Officer who declared a dog to be a dangerous dog.</li> </ol>
<b>Express Power to Sub Delegate:</b>	<i>Dog Act 1976:</i> s10AA(3) – Delegation of local government powers and duties.  Note: Sub delegation only permitted where delegation to the CEO expressly authorises sub delegation.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li><i>Dog Act 1976.</i></li> <li><i>Town of Cambridge Animals Local Law 2016.</i></li> </ol> <p>Note: Decisions under this Delegation may be referred for review by the State Administrative Tribunal (SAT).</p>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

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4		24.11.2020	Council		Annual Review



## 6.1.9 Determine Recoverable Expenses for Dangerous Dog Declaration

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Dog Act 1976:</i> s10AA – Delegation of local government powers and duties.
<b>Express Power or Duty Delegated:</b>	<i>Dog Act 1976:</i> s33M(1)(a) – Local government expenses to be recoverable.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	Authority to determine the reasonable charge to be paid by an owner at the time of payment of the registration fee under s15, up to any maximum amount prescribed, having regard to the expenses incurred by the local government in making inquiries, investigations and inspections concerning the behaviour of a dog declared to be dangerous.
<b>Council Conditions on this Delegation:</b>	The CEO may further delegate (sub delegate) to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.
<b>Express Power to Sub Delegate:</b>	<i>Dog Act 1976:</i> s10AA(3) – Delegation of local government powers and duties.  Note: Sub delegation only permitted where delegation to the CEO expressly authorises sub delegation.
<b>Sub Delegate(s):</b>	<ol style="list-style-type: none"> <li><b>Director Planning and Development.</b></li> <li><b>Manager Regulatory Services.</b></li> </ol>
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li><i>Dog Act 1976.</i></li> <li><i>Town of Cambridge Animals Local Law 2016.</i></li> </ol> <p>Note: Decisions under this Delegation may be referred for review by the State Administrative Tribunal (SAT).</p>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

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## 6.1.10 Prosecution of Offences and Commencement of Legal Proceedings

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<p><i>Local Government Act 1995:</i> s9.24 – Prosecutions, commencing. s5.42 – Delegation of some powers or duties to the CEO. s5.43 – Limits on delegations to the CEO.</p> <p><i>Dog Act 1976:</i> s10AA – Council may delegate to the CEO.</p>
<b>Express Power or Duty Delegated:</b>	<i>Dog Act 1976:</i> s44 – Enforcement proceedings.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	Authority to commence proceedings for an offence under the <i>Dog Act 1976</i> , and <i>Dog Regulations 2013</i> , and <i>Town of Cambridge Animals Local Law 2016</i> .
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. A prosecution or proceeding shall only be instituted in accordance with <b>Policy No: 022 – Compliance, Enforcement and Prosecution Policy</b>.</li> <li>2. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	<ol style="list-style-type: none"> <li>1. <i>Local Government Act 1995:</i> (a) s5.44 – CEO may delegate some powers and duties to other employees.</li> <li>2. <i>Dog Act 1976:</i> (a) s10AA – CEO may delegate some powers and duties to other employees.</li> </ol>
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	1. <b>Policy No: 022 – Compliance, Enforcement and Prosecution Policy</b> .
<b>Record Keeping:</b>	Delegated Authority Form and Memorandum.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



## Part 7 – Food Act 2008

Note: There is no power of sub delegation under the Food Act 2008, all Delegations are made directly by Council to Employees.

### Division 7.1 – Council to Employees

#### 7.1.1 Determine Compensation

<b>Delegator:</b>	Local Government (Enforcement Agency)
<b>Express Power to Delegate:</b>	<i>Food Act 2008:</i> s118 – Functions of enforcement agencies and delegation.
<b>Express Power or Duty Delegated:</b>	<i>Food Act 2008:</i> s56 – Compensation to be paid in certain circumstances. s70 – Compensation.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>Authority to determine applications for compensation in relation to any item seized, if no contravention has been committed and the item cannot be returned [s56(2)].</li> <li>Authority to determine an application for compensation from a person on who a Prohibition Notice has been served, and who has suffered loss as the result of the making of the Order, and who considers that there were insufficient grounds for making the Order [s70(2) and (3)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>In accordance with s118(3)(b), this Delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.</li> <li>Compensation under this Delegation may only be determined upon documented losses up to a maximum of \$1,000. Compensation requests above this value are to be reported to Council.</li> <li>That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	Nil - <i>Food Regulations 2009</i> do not provide for sub delegation.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.



<b>Compliance Links:</b>	<ol style="list-style-type: none"><li>1. <i>Food Act 2008.</i></li><li>2. <i>Food Regulations 2009.</i></li></ol> <p>Note: Decisions under this Delegation may be referred for review by the State Administrative Tribunal (SAT).</p>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	Cr19.116	Annual Review
4		24.11.2020	Council		Annual Review



## 7.1.2 Prohibition Orders

<b>Delegator:</b>	Local Government (Enforcement Agency)
<b>Express Power to Delegate:</b>	<i>Food Act 2008:</i> s118 – Functions of enforcement agencies and delegation.
<b>Express Power or Duty Delegated:</b>	<i>Food Act 2008:</i> s65 – Prohibition Order. s66 – Certificate of Clearance to be given in certain circumstances. s67 – Request for re-inspection.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>1. Authority to serve a Prohibition Order on the proprietor of a food business in accordance with s65 of the <i>Food Act 2008</i>.</li> <li>2. Authority to give a Certificate of Clearance, where inspection demonstrates compliance with a Prohibition Order and any relevant Improvement Notices.</li> <li>3. Authority to give written Notice to the 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.</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. In accordance with s118(3)(b), this Delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.</li> <li>2. Authority to serve a Prohibition Order on the proprietor of a food business, in accordance with s65 of the <i>Food Act 2008</i> [s65(1)].</li> <li>3. Authority to give a certificate of Clearance, where inspection demonstrates compliance with a Prohibition Order and any relevant Improvement Notices [s66].</li> <li>4. Authority to give written Notice to proprietor of a good business on whom a Prohibition Order has been served of the decision not to give a Certificate of Clearance after an inspection [s67(4)].</li> </ol>
<b>Express Power to Sub Delegate:</b>	Nil - <i>Food Regulations 2009</i> do not provide for sub delegation.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. <i>Food Act 2008</i>.</li> <li>2. <i>Food Regulations 2009</i>.</li> </ol> <p>Note: Decisions under this Delegation may be referred for review by the State Administrative Tribunal (SAT).</p>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.



Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
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3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



### 7.1.3 Food Business Registrations

<b>Delegator:</b>	Local Government (Enforcement Agency)
<b>Express Power to Delegate:</b>	<i>Food Act 2008:</i> s118 – Functions of enforcement agencies and delegation.
<b>Express Power or Duty Delegated:</b>	<i>Food Act 2008:</i> s110 – Registration of food business. s112 – Variation of conditions or cancellation of registration of food businesses.
<b>Delegated to:</b>	<ol style="list-style-type: none"> <li>1. <b>CHIEF EXECUTIVE OFFICER.</b></li> <li>2. <b>MANAGER REGULATORY SERVICES.</b></li> </ol>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>1. Authority to consider applications and determine registration of a food business and grant the application with or without conditions or refuse the registration.</li> <li>2. Authority to vary the conditions or cancel the registration of a food business.</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. In accordance with s118(3)(b), this Delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time, including but not limited to: <ul style="list-style-type: none"> <li>(a) <i>Food Act 2008</i> Regulatory Guideline No 1 – Introduction of Regulatory Food Safety Auditing in Western Australia.</li> <li>(b) Food Unit Fact Sheet 8 – Guide to Regulatory Guideline No 1.</li> </ul> </li> <li>2. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>3. Delegation must be exercised in accordance with the Town's 'Standard conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	Nil – <i>Food Regulations 2009</i> do not provide for sub delegation.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. <i>Food Act 2008.</i></li> <li>2. <i>Food Regulations 2009.</i></li> </ol> <p>Note: Decisions under this Delegation may be referred for review by the State Administrative Tribunal (SAT).</p>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.



Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
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3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



## 7.1.4 Appoint authorised Officers and Designated Officers

<b>Delegator:</b>	Local Government (Enforcement Agency)
<b>Express Power to Delegate:</b>	<i>Food Act 2008:</i> s118 – Functions of enforcement agencies and delegation.
<b>Express Power or Duty Delegated:</b>	<i>Food Act 2008:</i> s122 – Appointment of Authorised Officers. s126 – Infringement Officers.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>1. Authority to appoint a person to be an Authorised Officer for the purpose of the <i>Food Act 2008</i>.</li> <li>2. Authority to appoint an Authorised Officer, appointed under s122(2) of this Act, or s24(1) of the <i>Public Health Act 2016</i>, to be a Designated Officer for the purpose of issuing Infringement Notices under the <i>Food Act 2008</i>.</li> <li>3. Authority to appoint an Authorised Officer to be a Designated Officer (<i>who is prohibited by s126(13) from also being a Designated Officer for the purpose of issuing Infringements</i>), for the purpose of extending the time for payment or modified penalties s126(6) and determining withdrawal of an Infringement Notice [s126(7)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. In accordance with s118(3)(b), this Delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time, including but not limited to: <ol style="list-style-type: none"> <li>(a) Appointment of Authorised Officers as Meat Inspectors.</li> <li>(b) Appointment of Authorised Officers.</li> <li>(c) Appointment of Authorised Officers – Designated Officers only.</li> <li>(d) Appointment of authorised Officers – Appointment of persons to assist with the discharge of duties of an Authorised Officer.</li> </ol> </li> <li>2. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>3. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	Nil – <i>Food Regulations 2009</i> do not provide for sub delegation.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.



<b>Compliance Links:</b>	<ol style="list-style-type: none"><li>1. <i>Food Act 2008:</i> s122(3) – Requires an Enforcement Agency to maintain a list of appointed Authorised Officers. s123(1) – Requires an Enforcement Agency to provide each Authorised Officer with a Certificate of Authority, as prescribed.</li><li>2. <i>Food Regulations 2009.</i></li></ol>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
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3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



## 7.1.5 Debt Recovery

<b>Delegator:</b>	Local Government (Enforcement Agency)
<b>Express Power to Delegate:</b>	<i>Food Act 2008:</i> s116 – Functions of the CEO. s117 – CEO may delegate. s118 – Functions of enforcement agencies and delegation.
<b>Express Power or Duty Delegated:</b>	<i>Food Act 2008:</i> s54 – Cost of destruction or disposal of forfeited item. s125 – Institution of proceedings.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>Authority to recover costs incurred in connection with the lawful destruction or disposal of an item (seized), including any storage costs, and the costs of any subsequent proceedings in a court of competent jurisdiction.</li> <li>Authority to commence proceedings for an offence under the <i>Food Act 2008</i> and associated Regulations.</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>In accordance with s118(3)(b), this Delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.</li> <li>A prosecution or proceeding shall only be instituted in accordance with <b>Policy No: 022 – Compliance, Enforcement and Prosecution Policy</b>.</li> <li>Delegation must be exercised in accordance with the Town’s ‘Standard Conditions’ relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	Nil – <i>Food Regulations 2009</i> do not provide for sub delegation.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li><i>Food Act 2008.</i></li> <li><i>Food Regulations 2009.</i></li> </ol>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
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4		24.11.2020	Council		Annual Review



## 7.1.6 Food Businesses List – Public Access

<b>Delegator:</b>	Local Government (Enforcement Agency)
<b>Express Power to Delegate:</b>	<i>Food Act 2008:</i> s118 – Functions of enforcement agencies and delegation.
<b>Express Power or Duty Delegated:</b>	<i>Food Act 2008:</i> s51 – Enforcement agency may make list of food.
<b>Delegated to:</b>	<ol style="list-style-type: none"> <li>1. <b>CHIEF EXECUTIVE OFFICER/</b></li> <li>2. <b>MANAGER REGULATORY SERVICES.</b></li> </ol>
<b>Function Delegated:</b>	Authority to decide to make a list of food businesses, maintained under s115 publicly available.
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. In accordance with s118(3)(b), this Delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.</li> </ol>
<b>Express Power to Sub Delegate:</b>	Nil – <i>Food Regulations 2009</i> do not provide for sub delegation.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. <i>Food Act 2008.</i></li> <li>2. <i>Food Regulations 2009.</i></li> </ol>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
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4		24.11.2020	Council		Annual Review



## 7.1.7 Prosecution of Offences

<b>Delegator:</b>	Local Government (Enforcement Agency)
<b>Express Power to Delegate:</b>	<i>Food Act 2008:</i> s116 – Functions of the CEO. s117 – CEO may delegate. s118 – Functions of enforcement agencies and delegation.
<b>Express Power or Duty Delegated:</b>	<i>Food Act 2008:</i> s54 – Cost of destruction or disposal of forfeited item. s125 – Institution of proceedings.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>Authority to recover costs incurred in connection with the lawful destruction or disposal of an item (seized), including any storage costs and the costs of any subsequent proceedings in a court of competent jurisdiction.</li> <li>Authority to commence proceedings for an offence under the <i>Food Act 2008</i> and associated Regulations.</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>In accordance with s118(3)(b), this Delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.</li> <li>A prosecution or proceeding shall only be instituted in accordance with <b>Policy No: 022 – Compliance, Enforcement and Prosecution Policy</b>.</li> <li>Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	Nil – <i>Food Regulations 2009</i> do not provide for sub delegations.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li><i>Food Act 2008</i>.</li> <li><i>Food Regulations 2009</i>.</li> </ol>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



## Part 8 – Graffiti Vandalism Act 2016- Delegations

### Division 8.1 – Council to Chief Executive Officer

#### 8.1.1 Give Notices Requiring Obliteration of Graffiti

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Graffiti Vandalism Act 2016:</i> s16 – Delegation by local government.
<b>Express Power or Duty Delegated:</b>	<i>Graffiti Vandalism Act 2016:</i> s18 – Notice requiring removal of graffiti. s19 – Additional powers when Notice is given.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>Authority to give written Notice to a person who is an owner or occupier of property on which graffiti is applied, requiring the person to ensure that the graffiti is obliterated in an acceptable manner, within the time set out in the Notice [s18(2)].</li> <li>Authority, where a person fails to comply with a Notice, to do anything considered necessary to obliterate the graffiti in an acceptable manner, and to take action to recover costs incurred as a debt due from the person who failed to comply with the Notice [s19(4)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>Delegation must be exercised in accordance with the Town’s ‘Standard Conditions’ relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	<i>Graffiti Vandalism Act 2016:</i> s17 – Delegation by CEO of local government.
<b>Sub Delegate(s):</b>	<ol style="list-style-type: none"> <li><b>Director Planning and Development</b></li> <li><b>Manager Regulatory Services.</b></li> </ol>
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>Delegation must be exercised in accordance with the Town’s ‘Standard Conditions’ relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li><i>Graffiti Vandalism Act 2016.</i></li> </ol> <p>Note: Decisions under this Delegation may be referred for review by the State Administrative Tribunal.</p>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.



Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



## 8.1.2 Notices – Deal with Objections and Give Effect to Notices

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Graffiti Vandalism Act 2016:</i> s16 – Delegation by local government.
<b>Express Power or Duty Delegated:</b>	<i>Graffiti Vandalism Act 2016:</i> s22 – Objection may be lodged. s24 – Suspension of effect of Notice.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>1. Authority to deal with an objection to a Notice [s23(3)].</li> <li>2. Authority, where an objection has been lodged, to: <ol style="list-style-type: none"> <li>(a) Determine and take action to give effect to the Notice where it is determined that there are urgent reasons, or an endangerment to public safety, or likely damaged to property, or serious nuisance, if action is not taken; and</li> <li>(b) To give Notice to the affected person, before taking the necessary actions [s24(3)].</li> </ol> </li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. Must be dealt with as though Part 9 and s9.6 of the <i>Local Government Act 1995</i> applies when dealing with that objection [s22(3)].</li> <li>2. A person who has issued a Notice cannot determine any objection to the Notice.</li> <li>3. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>4. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	<i>Graffiti Vandalism Act 2016:</i> s17 – Delegation by CEO of local government.
<b>Sub Delegate(s):</b>	<ol style="list-style-type: none"> <li>1. <b>Director Planning and Development.</b></li> <li>2. <b>Manager Regulatory Services.</b></li> </ol>
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>1. Must be dealt with as though Part 9 and s9.6 of the <i>Local Government Act 1995</i> applies when dealing with that objection [s22(3)].</li> <li>2. A person who has issued a Notice cannot determine any objection to that Notice.</li> <li>3. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>4. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority</li> </ol>



<b>Compliance Links:</b>	1. <i>Graffiti Vandalism Act 2016.</i>  Note: Decisions under this Delegation may be referred for review by the State Administrative Tribunal.
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
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3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



### 8.1.3 Obliterate Graffiti on Private Property

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Graffiti Vandalism Act 2016:</i> s16 – Delegation by local government.
<b>Express Power or Duty Delegated:</b>	<i>Graffiti Vandalism Act 2016:</i> s25 Local government graffiti powers on land not local government property.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	Authority to determine to obliterate graffiti applied without consent of the owner or occupier, even though the land on which it is done is not local government property, and the local government does not have consent.
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>2. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	<i>Graffiti Vandalism Act 2016:</i> s17 – Delegation y CEO of local government.
<b>Sub Delegate(s):</b>	<ol style="list-style-type: none"> <li>1. Director Infrastructure and Works.</li> <li>2. Director Planning and Development.</li> <li>3. Manager Regulatory Services.</li> </ol>
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>1. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>2. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. <i>Graffiti Vandalism Act 2016.</i></li> </ol>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
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3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



### 8.1.4 Powers of Entry

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Graffiti Vandalism Act 2016:</i> s16 – Delegation by local government.
<b>Express Power or Duty Delegated:</b>	<i>Graffiti Vandalism Act 2016:</i> s28 – Notice of entry. s29 – Entry under warrant.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>Authority to give Notice of an intended entry to the owner or occupier of land, premises or thing, specifying the purpose of which entry is required.</li> <li>Authority to obtain a warrant to enable entry onto any land, premises or thing for the purposes of this Act.</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	<i>Graffiti Vandalism Act 2016:</i> s17 – Delegation by CEO of local government.
<b>Sub Delegate(s):</b>	<ol style="list-style-type: none"> <li><b>Director Planning and Development.</b></li> <li><b>Manager Regulatory Services.</b></li> <li><b>Director Infrastructure and Works.</b></li> </ol>
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li><i>Graffiti Vandalism Act 2016.</i></li> </ol>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



## Part 9 – Health (Miscellaneous Provisions) Act 1911- Delegations

### Division 9.1 – Council to Employees

#### 9.1.1 Discharge of Powers and Duties

<b>Delegator:</b>	Local Government (Enforcement Agency)
<b>Express Power to Delegate:</b>	<i>Health (Miscellaneous Provisions) Act 1911:</i> s13A CEO and Chief Health Officer may delegate. s26 – Powers of local government.
<b>Express Power or Duty Delegated:</b>	<i>Public Health Act 2016:</i> s38 – Local governments to report annually.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>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 Town [s26].</li> <li>Authority to prepare to provide to the Chief Health Officer, a report detailing any proceedings for an offence under this Act [s22(2)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	Nil. Unless a Regulation enacted under the <i>Public Health Act 2016</i> , specifically authorises a delegated power or duty of an enforcement agency to be further delegated.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li><i>Public Health Act 2016.</i> <ol style="list-style-type: none"> <li>s20 – Conditions on performance of functions by enforcement agencies.</li> </ol> </li> </ol>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



## 9.1.2 Appoint Authorised Officer or Approve Officer (Asbestos Regulations)

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Health (Asbestos) Regulations 1992:</i> s15D – Infringement Notices.
<b>Express Power or Duty Delegated:</b>	<i>Health (Asbestos) Regulations 1992</i> s15D – Infringement Notices.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	Authority to appoint a person or classes of persons as an Authorised Officer or Approved Officer for the purposes of the <i>Criminal Procedure Act 2004</i> .
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>Subject to each person so appointed being issued with a certificate, badge or identity card identifying the Officer as a person authorised to issue Infringement Notices [Reg 15D(6)].</li> <li>This Delegation is subject to relevant Department of Health Chief Health Officer Guidelines, as amended from time to time.</li> <li>Only persons holding the recognised qualification published by the Department of Health Chief Health Officer in the Government Gazette, dated 24 January 2017, shall be appointed as an Authorised Officer.</li> <li>That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	Nil. <i>Health (Asbestos) Regulations 1992</i> do not provide a power to sub delegate.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	1. <i>Criminal Procedure Act 2004 – Part 2.</i>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



### 9.1.3 Prosecution of Offences and Commencement of Legal Proceedings

<b>Delegator:</b>	Local Government (Enforcement Agency)
<b>Express Power to Delegate:</b>	<i>Public Health Act 2016:</i> s21 – Enforcement agency may delegate.
<b>Express Power or Duty Delegated</b>	<i>Public Health Act 2016:</i> s280 – Commencing proceedings.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	Authority to commence proceedings for an offence under the <i>Public Health Act 2016</i> .
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. A prosecution or proceeding shall only be instituted in accordance with <b>Policy No: 022 – Compliance, Enforcement and Prosecution Policy</b>.</li> <li>2. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	Nil. Unless a Regulation enacted under the <i>Public Health Act 2016</i> , specifically authorises a delegated power or duty of an enforcement agency to be further delegated.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. <i>Public Health Act 2016:</i> (a) s20 – Conditions on performance of functions by enforcement agencies.</li> <li>2. <b>Policy No: 022 – Compliance, Enforcement and Prosecution Policy</b>.</li> </ol>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
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3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



## Part 10 – Liquor Control Act 1998

### Division 10.1 – Council to Chief Executive Officer

#### 10.1.1 Liquor Control Act 1988 – Issue of Certificates

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.42 – Delegation of some powers or duties to the CEO. s5.43 – Limits on delegations to the CEO.
<b>Express Power or Duty Delegated:</b>	<i>Liquor Control Act 1998:</i> s39 – Approve or refuse to grant a Certificate that a premises complies with laws. s40 – Approve or refuse to grant a Certificate that a premises complies with Planning Laws.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>1. Approve or refuse to grant a Certificate that a premises complies with laws [s39].</li> <li>2. Approve or refuse to grant a Certificate that a premises complies with Planning Laws [s40].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>2. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO may delegate some powers and duties to other employees.
<b>Sub Delegate(s):</b>	<ol style="list-style-type: none"> <li>1. <b>Director Planning and Development (s39 and s40 Certificates).</b></li> <li>2. <b>Manager Regulatory Services (s29 Certificates).</b></li> <li>3. <b>Manager Statutory Planning (s40 Certificates).</b></li> </ol>
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>1. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>2. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. <i>Local Government Act 1995.</i></li> </ol>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.



Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



## 10.1.2 Extended Trading Permits

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.42 – Delegation of some powers or duties to the CEO. s5.43 – Limits on delegations to the CEO.
<b>Express Power or Duty Delegated:</b>	<i>Liquor Control Act 1998:</i> s60 – Extended trading permit, purposes, effect and conditions of.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<i>Liquor Control Act 1998:</i> Authority to allow the CEO to provide support or otherwise for applications to the Department of Racing, Gaming and Liquor in their assessment of a new application, or vary an existing licence condition and for an extended trading permit.
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. Any support or otherwise of an Extended Trading Permit must be in accordance with the lease conditions.</li> <li>2. The support or otherwise of an Extended Trading Permit shall only be for a single event.</li> <li>3. Prior to the issue of an Extended Trading Permit, community consultation must be carried out within an area of not less than 100 metres of the licensed establishment, or other such area determined by the CEO as being reasonably appropriate to the occasion.</li> <li>4. Any application for an Extended Trading Permit which is for more than one (1) occasion, must be reported to Council for determination.</li> <li>5. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>6. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO may delegate some powers and duties to other employees.
<b>Sub Delegate(s):</b>	<ol style="list-style-type: none"> <li>1. <b>Director Planning and Development.</b></li> <li>2. <b>Director Corporate and Community Services.</b></li> <li>3. <b>Manager Regulatory Services.</b></li> </ol>
<b>CEO Conditions on this Sub Delegation:</b>	<ol style="list-style-type: none"> <li>1. Any support or otherwise of an Extended Trading Permit must be in accordance with the lease conditions.</li> <li>2. The support or otherwise of an Extended Trading Permit shall only be for a single event.</li> <li>3. Prior to the issue of an Extended Trading Permit, community consultation must be carried out within an area of not less than 100 metres of the licensed establishment, or other such area determined by the CEO as being reasonably appropriate for the occasion.</li> </ol>



	<p>4. Any application for an Extended Trading Permit which is for more than a single occasion, must be reported to Council for determination.</p> <p>5. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</p> <p>6. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</p>
<b>Compliance Links:</b>	1. <i>Local Government Act 1995.</i>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



## Part 11 – Public Health Act 2016

### Division 11.1 – Council to Employees

#### 11.1.1 Enforcement Agency Reports to Chief Health Officer

<b>Delegator:</b>	Local Government (Enforcement Agency)
<b>Express Power to Delegate:</b>	<i>Public Health Act 2016:</i> s21 – Enforcement agency may delegate.
<b>Express Power or Duty Delegated:</b>	<i>Public Health Act 2016:</i> s22 – Reports by and about enforcement agencies.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>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 Town [s21(1)].</li> <li>Authority to prepare and provide to the Chief Health Officer, a report detailing any proceedings for an offence under this Act [s22(2)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	Nil. Unless a Regulation enacted under the <i>Public Health Act 2016</i> , specifically authorises a delegated power or duty of an enforcement agency to be further delegated.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	<i>Public Health Act 2016:</i> s20 – Conditions on performance of functions by enforcement agencies.
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



## 11.1.2 Designate Authorised Officers

<b>Delegator:</b>	Local Government (Enforcement Agency)
<b>Express Power to Delegate:</b>	<i>Public Health Act 2016:</i> s21 – Enforcement agency may delegate.
<b>Express Power or Duty Delegated:</b>	<i>Public Health Act 2016:</i> s24 – Designation of Authorised Officers.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>1. Authority to designate a person or class of persons as Authorised Officers for the purposes of: <ol style="list-style-type: none"> <li>(a) The <i>Public Health Act 2016</i> or other specified Act;</li> <li>(b) Specified provisions of the <i>Public Health Act 2016</i> or other specified Act;</li> <li>(c) Provisions of the <i>Public Health Act 2016</i> or another specified Act, other than the specified provisions of that Act;</li> </ol> <p>Including:</p> <ol style="list-style-type: none"> <li>(d) An Environmental Health Officer or Environmental Health Officers as a class; OR</li> <li>(e) A person who is not an Environmental Health Officer or a class of persons who are not Environmental Health Officers; OR</li> <li>(f) A mixture of the two.</li> </ol> </li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. Subject to each person so appointed, being: <ol style="list-style-type: none"> <li>(a) Appropriately qualified and experienced [s25(1)(a)]; and</li> <li>(b) Issued with a certificate, badge or identity card, identifying the Authorised Officer [s30 and s31].</li> </ol> </li> <li>2. A Register of Authorised Officers is to be maintained in accordance with s27.</li> <li>3. Only persons holding the recognised qualification published by the Department of Health Chief Health Officer in the Government Gazette, dated 24 January 2017, shall be appointed as an Authorised Officer.</li> <li>4. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>5. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	Nil. Unless a Regulation enacted under the <i>Public Health Act 2016</i> , specifically authorises a delegated power or duty of an enforcement agency to be further delegated.



<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. <i>Public Health Act 2016:</i> <ol style="list-style-type: none"> <li>(a) s20 – Conditions on performance of functions by enforcement agencies.</li> <li>(b) s25 – Certain Authorised Officers required to have qualifications and experience.</li> <li>(c) s26 – Further provisions relating to designations.</li> <li>(d) s27 – Lists of Authorised Officers to be maintained.</li> <li>(e) s28 – When designation as Authorised Officer ceases.</li> <li>(f) s29 – Chief Health Officer may issue guidelines about qualifications and experience of Authorised Officers.</li> <li>(g) s30 – Certificates of Authority.</li> <li>(h) s31 – Issuing and production of Certificate of Authority for purposes of other written laws.</li> <li>(i) s32 – Certificate of Authority to be returned.</li> <li>(j) s136 – Authorised Officer to produce evidence of authority.</li> </ol> </li> <li>2. <i>Criminal Investigation Act 2006</i>, Parts 6 and 13 – refer s245 of the <i>Public Health Act 2016</i>.</li> <li>3. The <i>Criminal Code</i>, Chapter XXVI – refer <i>Public Health Act 2016</i>, s252 – Use of force.</li> </ol>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
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4		24.11.2020	Council		Annual Review



### 11.1.3 Determine Compensation for Seized Items

<b>Delegator:</b>	Local Government (Enforcement Agency)
<b>Express Power to Delegate:</b>	<i>Public Health Act 2016:</i> s21 – Enforcement agency may delegate.
<b>Express Power or Duty Delegated:</b>	<i>Public Health Act 2016:</i> s264 – Compensation.
<b>Delegated to:</b>	<ol style="list-style-type: none"> <li>1. <b>CHIEF EXECUTIVE OFFICER.</b></li> <li>2. <b>MANAGER REGULATORY SERVICES (PRINCIPAL ENVIRONMENTAL HEALTH OFFICER).</b></li> </ol>
<b>Function Delegated:</b>	Authority, in response to an application for compensation, to determine compensation that is just and reasonable in relation to any item seized under Part 16 if there has been no contravention of the Act, and the item cannot be returned, or has in consequence of the seizure depreciated in value [s264].
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. Compensation is limited to a maximum value of \$1,000, with any proposal for compensation above this value to be referred to Council for determination.</li> <li>2. That all action and/or delegation shall be in compliance with the relevant Council Policies (or Local Government Policies, where determined by the CEO).</li> <li>3. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	Nil. Unless a Regulation enacted under the <i>Public Health Act 2016</i> , specifically authorises a delegated power or duty of an enforcement agency to be further delegated.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. <i>Public Health Act 2016:</i> <ol style="list-style-type: none"> <li>(a) s20 – Conditions on performance of functions by enforcement agencies.</li> </ol> </li> </ol> <p>Note: Decision under this Delegation may be referred for review by the State Administrative Tribunal (SAT).</p>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
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3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



### 11.1.4 Prosecution of Offences and Commencement of Legal Proceedings

<b>Delegator:</b>	Local Government (Enforcement Agency)
<b>Express Power to Delegate:</b>	<i>Public Health Act 2016:</i> s21 Enforcement agency may delegate.
<b>Express Power or Duty Delegated:</b>	<i>Public Health Act 2016:</i> s280 – Commencing proceedings.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	Authority to commence proceedings for an offence under the <i>Public Health Act 2016</i> .
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. A prosecution or proceeding shall only be instituted in accordance with <b>Policy No: 022 – Compliance, Enforcement and Prosecution Policy</b>.</li> <li>2. Delegation must be exercised in accordance with the Town’s ‘Standard Conditions’ relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Express Power to Sub Delegate:</b>	Nil. Unless a Regulation enacted under the <i>Public Health Act 2016</i> , specifically authorises a delegated power or duty of an enforcement agency to be further delegated.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. <i>Public Health Act 2016:</i> (a) s20 – Conditions on performance of functions by enforcement agencies.</li> <li>2. <b>Policy No: 022 – Compliance, Enforcement and Prosecution Policy</b>.</li> </ol>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR1.116	Annual Review
4		24.11.2020	Council		Annual Review



## Part 12 – Planning and Development Act 2005 and Associated Functions

### Division 12.1 – Council to Chief Executive Officer – Planning and Development Act 2005 and Town Planning Scheme No 1

#### 12.1.1 Illegal Development

<b>Delegator:</b>	Local Government (Responsible Authority)
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.42 – Delegation of some powers or duties to the CEO.
<b>Express Power or Duty Delegated:</b>	<i>Planning and Development Act 2005:</i> s214 – Illegal development, responsible authority's powers as to.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>1. Give a written direction to the owner or any other person undertaking an unauthorised development to stop, and not recommence the development or that part of the development that is undertaken in contravention of the Planning Scheme, Interim Development Order or planning control area requirements.</li> <li>2. Give a written direction to the owner or any other person who undertook an unauthorised development: <ol style="list-style-type: none"> <li>(a) To remove , pull down, take up, or alter the development; and</li> <li>(b) To restore the land as nearly as practicable to its condition immediately before the development started, to the satisfaction of the responsible authority.</li> </ol> </li> <li>3. Give a written direction to the person whose duty it is to execute work, to execute that work, where it appears that delay in the execution of the work to be executed under a Planning Scheme or Interim Development Order would prejudice the effective operation of the Planning Scheme or Interim Development Order.</li> </ol>
<b>Council Conditions on this Delegation:</b>	1. Any action is to be in accordance with <b>Policy No: 022 – Compliance, Enforcement and Prosecution Policy.</b>
<b>Express Power to Sub Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – CEO may delegate some powers and duties to other employees.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. <i>Planning and Development Act 2005.</i></li> <li>2. <b>Policy No: 022 – Compliance, Enforcement and Prosecution Policy.</b></li> </ol>



<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.
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Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Approved	26.11.2019	Council	CR19.116	Annual Review
4		24.11.2020	Council		Annual Review



## 12.1.2 Appointment of Designated Persons

<b>Delegator:</b>	Local Government (Responsible Authority)
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s5.42 – Delegation of some powers or duties to the CEO.
<b>Express Power or Duty Delegated:</b>	<i>Planning and Development Act 2005:</i> s234 – Designated Persons, appointment of.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	Appoint persons or classes of persons as Designated Persons for the purposes of S228, s229, s230 and s231 of the <i>Planning and Development Act 2005</i> .
<b>Council Conditions on this Delegation:</b>	1. A person who is authorised to give Infringement Notices under s228 I not eligible to be a Designated Person for the purposes of any of the other sections of the Act.
<b>Express Power to Sub Delegate:</b>	<i>Local Government Act 1995:</i> s5.44 – May delegate some powers and duties to other employees.
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	1. <i>Planning and Development Act 2005.</i>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	26.11.2019	Council	CR19.116	Annual Review
2		24.11.2020	Council		Annual Review



### 12.1.3 Prosecution of Offences and Commencement of Proceedings

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<p><i>Planning and Development Act 2005:</i> s9.24 – Enforcement agency may delegate.</p> <p><i>Local Government Act 1995:</i> s5.42 – Delegation of some powers or duties to the CEO. s5.43 – Limits on delegations to the CEO.</p>
<b>Express Power or Duty Delegated:</b>	<i>Planning and Development Act 2005:</i> Part 13 – enforcement and legal proceedings.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	1. Authority to commence proceedings for an offence under the <i>Planning and Development Act 2005</i> and associated Regulations.
<b>Council Conditions on this Delegation:</b>	<p>1. A prosecution or proceeding shall only be instituted in accordance with <b>Policy No: 022 – Compliance, Enforcement and Prosecution Policy</b>.</p> <p>2. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</p>
<b>Express Power to Sub Delegate:</b>	<p><i>Local Government Act 1995:</i> s5.44 – CEO may delegate some powers and duties to other employees.</p> <p><i>Planning and Development (Local Planning Schemes) Regulations 2015:</i> Schedule 2, Clause 83 – Local government CEO may delegate powers.</p>
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	<p>1. <i>Local Government Act 1995.</i></p> <p>2. <i>Planning and Development (Local Planning Schemes) Regulations 2015.</i></p>
<b>Record Keeping:</b>	Exercise of authority to be recorded in ECM.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	26.11.2019	Council	CR19.116	Annual Review
2		24.11.2020	Council		Annual Review



## 12.1.4 Planning and Development Delegations

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Planning and Development (Local Planning Schemes) Regulations 2015:</i> Schedule 2 - Deemed Provisions for Local Planning Schemes; Section 82 - Delegations by Local Government
<b>Express Power or Duty Delegated:</b>	<i>Planning and Development Act 2005.</i>  <i>Planning and Development (Local Planning Schemes) Regulations 2015:</i> Schedule 2 – Deemed provisions for local planning schemes.  Town of Cambridge Town Planning Scheme No 1.  Metropolitan Region Scheme.
<b>Delegated to:</b>	<b>CHIEF EXECUTIVE OFFICER</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>1. Authority to exercise all powers and discharge all duties under the ‘Deemed Provisions’, Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> and Town of Cambridge Town Planning Scheme No 1.</li> <li>2. Authority to make recommendations to the Western Australian Planning Commission (WAPC) on subdivision applications, including recommending the imposition of subdivision conditions or the clearance of subdivision conditions (Part 10 <i>Planning and Development Act 2005</i>).</li> <li>3. Authority to make recommendations to the WAPC on development applications where the WAPC is the determining authority (Clause 28(3) Metropolitan Region Scheme (MRS) and s6 <i>Planning and Development Act 2005</i>).</li> <li>4. Authority to make recommendations and/or provide comment to service agencies and state government departments for development proposals where no local government approval is required and where the proposal is generally consistent with the aims and objectives of Town Planning Scheme No 1 and relevant Local Planning Policies.</li> <li>5. Authority to determine development applications under the MRS where the local government is the determining authority, as delegated to the local government by the WAPC, and the development application is consistent with orderly and proper planning.</li> <li>6. Complete requests for s40 Certificate of Local Planning Authority under the <i>Liquor Control Act 1988</i>.</li> <li>7. Perform all functions associated with applications for review to the State Administrative Tribunal (SAT), including preparing responses and representing Council, except as outlined in Local Planning Policy 1.5.</li> <li>8. Approve, refuse or imposition of conditions for Form 24 and Form 26 applications for built strata subdivisions, acting on behalf of the WAPC.</li> </ol>



	<p>9. Make recommendations to the Metropolitan West Joint Development Assessment Panel in relation to Development Assessment Panel (DAP) applications, following community consultation (where required under Policy) and consideration if required by the Design Review Panel (DRP).</p> <p>10. Provide comment to the WAPC on significant development applications where the WAPC is the determining authority (Section 274 of the <i>Planning and Development Act 2005</i>).</p>
<b>Council Conditions on this Delegation:</b>	<p>The following exceptions are <b>not</b> delegated:</p> <ol style="list-style-type: none"><li>1. The granting of development approval where three or more submissions have been received:<ol style="list-style-type: none"><li>(a) During the advertising period of the development application that objects to the application on valid planning grounds; and</li><li>(b) Which cannot be addressed by conditions of development approval.</li></ol></li><li>2. The determination of a development application where a variation is sought under Clause 34(2) of Town Planning Scheme No 1.</li><li>3. The determination of an amendment to a previous development approval that was approved by resolution of Council (including an extension to the term of the development approval), except where the variation is of a minor nature, would not substantially change the approved development, and for which no objection has been received during the advertising of the application (where applicable).</li><li>4. The determination of an application for development approval for unauthorised development where prosecution is recommended.</li><li>5. Reconsideration of applications pursuant to s31 of the <i>State Administrative Tribunal Act 2004</i>, where the application was originally determined by resolution of Council. All other conditions on these delegations apply in determining the Town's response to the s31 reconsideration.</li><li>6. The granting of development approval for the demolition of a building listed on the Heritage List or within a Heritage Area.</li><li>7. The adoption, revocation or amendment of a Local Planning Policy (Clause 3-6 – Deemed Provisions).</li><li>8. The entering, removal or modification of a place on the Heritage List (Clause 8 – Deemed Provisions).</li><li>9. The designation, removal or modification of a Heritage Area (Clause 9 – Deemed Provisions).</li><li>10. The entering into a heritage agreement with an owner or occupier of land (Clause 10 – Deemed Provisions).</li><li>11. The issuing, revoking or varying a heritage conservation notice (Clause 13 of Deemed Provisions).</li><li>12. A recommendation to the WAPC on a proposed Structure Plan or Activity Centre Plan (Clause 20 and Clause 36 – Deemed Provisions).</li></ol>



	<p>13. The determination, revocation or amendment of a Local Development Plan (Clause 52, 57, 58 and 59 – Deemed Provisions).</p> <p>14. The dealing and disposal of land in the Scheme Area (Clause 78 – Deemed Provisions).</p> <p>15. The delegation of the local government’s powers or duties under the Scheme (Clause 82 – Deemed Provisions).</p> <p>16. Delegation must be exercised in accordance with the Town’s ‘Standard Conditions’ relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</p>
<b>Express Power to Sub Delegate:</b>	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2 – Deemed Provisions for Local Planning Schemes Clause 83 – Deemed Provision – CEO may delegate powers.
<b>Sub Delegate(s):</b>	<ol style="list-style-type: none"> <li>1. <b>Director Planning and Development.</b></li> <li>2. <b>Manager Strategic Planning.</b></li> <li>3. <b>Manager Statutory Planning.</b></li> <li>4. <b>Coordinator Statutory Planning.</b></li> </ol>
<b>CEO Conditions on this Sub Delegation:</b>	<p>The delegated authority granted by Council to the CEO is sub delegated with the exception of the following:</p> <ol style="list-style-type: none"> <li>1. The Coordinator Statutory Planning <b>shall not</b>: <ol style="list-style-type: none"> <li>(a) Determine an application for development approval that exceeds \$250,000 in value;</li> <li>(b) Determine an application for development approval where any submission(s) have been received, irrespective of the issues raised, unless the submission(s) received are all in support of the development without condition;</li> <li>(c) Determine to refuse an application for development;</li> <li>(d) Determine an application for an ‘A’ land use under the Town Planning Scheme No 1;</li> <li>(e) Determine an application for retrospective development approval; and</li> <li>(f) Determine an application for development approval involving a non-confirming use, unless the application involves the cessation of that non-confirming use.</li> </ol> </li> <li>2. Delegation must be exercised in accordance with the Town’s ‘Standard Conditions’ relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</li> </ol>
<b>Compliance Links:</b>	<ol style="list-style-type: none"> <li>1. <i>Strata Titles Act 1985</i> – s25 Approvals.  Ref DEL 20009/03, P1409, GG 9 June 2009, pp 1936-1937.</li> <li>2. Referral requirements for certain applications to the WAPC for determination - of relevance - development that is of State or regional significance, as advised by the WAPC, and certain development within Activity Centres.  Ref RES 2015/01, Resolution under Clause 32 of the Metropolitan Region Scheme, PL404, GG 12 June 2015, pp 2062-2064.</li> <li>3. Delegation of certain powers to approve development under the Metropolitan Region Scheme to local government. Also, referral requirements for development abutting regional road reservations</li> </ol>



	Ref DEL2017/02 Powers of Local Governments and Department of Transport, Ref PL403, GG 30 May 2017, pp 2738-2743.
<b>Record Keeping:</b>	Delegated Authority Form and Memorandum.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Amended	23.07.2019	Council	DV19.95	Amended
4	Approved	26.11.2019	Council	CR19.116	Annual Review
5	Amended	27.10.2020	Council	DV20.131	Function Delegated amended - Item 10 added.
6		24.11.2020	Council		Annual Review



## Division 12.2 – Council to Committee – Planning and Development Act 2005 and Town Planning Scheme No 1

### 12.2.1 Determination of Applications for Development Approval

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<p><i>Local Government Act 1995:</i> s5.16(1) – Delegation of some powers and duties to certain committees.</p> <p><i>Planning and Development (Local Planning Schemes) Regulations 2015:</i> Schedule 2 – Deemed provisions for local planning schemes. s82 – Delegations by local government.</p>
<b>Express Power or Duty Delegated:</b>	<p><i>Planning and Development Act 2005.</i></p> <p><i>Planning and Development (Local Planning Schemes) Regulations 2015:</i> Schedule 2 – Deemed provisions for local planning schemes.</p> <p>Town of Cambridge Town Planning Scheme No 1.</p> <p>Metropolitan Region Scheme.</p>
<b>Delegated to:</b>	<b>DEVELOPMENT COMMITTEE</b>
<b>Function Delegated:</b>	<ol style="list-style-type: none"> <li>1. Authority to exercise all powers and discharge all duties under the 'Deemed Provisions', Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015 and Town Planning Scheme No 1.</li> <li>2. Authority to make recommendations to the Western Australian Planning Commission (WAPC) on subdivision applications, including recommending the imposition of subdivision conditions or the clearance of subdivision conditions [Part 10 – Planning and Development Act 2005].</li> <li>3. Authority to make recommendations to the WAPC on development applications where the WAPC is the determining authority [Clause 28(3) – Metropolitan Region Scheme, and s6 – Planning and Development Act 2005].</li> <li>4. Authority to endorse guiding principles during the preparation of Local Planning Scheme No 2.</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>1. Four or more Members of the Development Committee must cast the same vote in passing a resolution in order for this Delegation to have effect. Simple Majority of the Development Committee must be present and vote.</li> <li>2. The following exceptions are not delegated: <ol style="list-style-type: none"> <li>(a) The adoption, revocation or amendment of a Local Planning Policy [Clause 3-6 of Deemed Provisions].</li> <li>(b) The entering, removal or modification of a place on the Heritage List [Clause 8 of Deemed Provisions].</li> <li>(c) The designation, removal or modification of a Heritage Area [Clause 9 of Deemed Provisions].</li> </ol> </li> </ol>



	<p>(d) The entering into a Heritage Agreement with an owner or occupier of land [Clause 10 of Deemed Provisions].</p> <p>(e) The issuing, revoking or varying a Heritage Conservation Notice [Clause 13 of Deemed Provisions].</p> <p>(f) A recommendation to the WAPC on a proposed Structure Plan or Activity Centre Plan [Clause 20 and 36 of Deemed Provisions].</p> <p>(g) The determination, revocation or amendment of a Local Development Plan [Clause 52, 57, 58 and 59 of Deemed Provisions].</p> <p>(h) The dealing and disposal of land in the Scheme Area [Clause 78 of Deemed Provisions].</p> <p>(i) The delegation of the local government's powers or duties under the Scheme [Clause 82 of Deemed Provisions].</p> <p>(j) Any determination requiring an Absolute Majority decision of Council.</p> <p>(k) The determination of a Development Application under Clause 34(2) of the Town Planning Scheme No 1.</p> <p>3. Delegation must be exercised in accordance with the Town's 'Standard Conditions' relating to Delegations, as detailed in the Introduction to the Register of Delegated Authority.</p>
<b>Express Power to Sub Delegate:</b>	<p>1. <i>Local Government Act 1995.</i></p> <p>2. <i>Planning and Development (Local Planning Schemes) Regulations 2015.</i></p>
<b>Sub Delegate(s):</b>	Nil.
<b>CEO Conditions on this Sub Delegation:</b>	Not applicable.
<b>Compliance Links:</b>	1. <i>Planning and Development Act 2005.</i>
<b>Record Keeping:</b>	Delegated Authority Form and Memorandum.

Version	Approved Amended Rescinded	Date	Authority	Resolution Number	Key Changes/Notes
1	Approved	24.04.2018	Council	10.4	Adopted
2	Amended	18.12.2018	Council	10.14	Amended
3	Amended	23.07.2019	Council	DV19.95	Amended
4	Approved	26.11.2019	Council	CR19.116	Annual Review
5	Amended	25.08.2020	Council	DV20.100	Function Delegated – Item 4 added.
6		24.11.2020	Council		Annual Review



## Part 13 – Statutory Authorisations and Delegations to Local Government from State Government Entities

### Division 13.1 – Environmental Protection Act 1986

#### 13.1.1 Noise Control – environmental Protection Notices

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Environment

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No. 47. 19-Mar-2004  
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**EV401**

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

##### **Section 20**

Delegation No. 52

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

Powers and duties delegated—

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

Persons to whom delegation made—

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

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

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

Approved—

FERDINAND TROMP, A/Chief Executive Officer.

Dr JUDY EDWARDS MLA, Minister for the Environment.



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

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**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.



### 13.1.3 Noise Management Plans

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**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.



## Division 13.2 – Planning and Development Act 2005

### 13.2.1 Instrument of Authorisation – Sign Development Applications for Crown Land as Owner

DoL FILE 1738/2002v8; 858/2001v9

#### PLANNING AND DEVELOPMENT ACT 2005

#### INSTRUMENT OF AUTHORISATION

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

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

HON DONALD TERRENCE REDMAN MLA  
MINISTER FOR LANDS



## SCHEDULE

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

Column 1	Column 2	Column 3
<p>The power to sign as owner in respect of Crown land that is:</p> <ul style="list-style-type: none"> <li>• a reserve managed by the local government pursuant to section 46 of the <i>Land Administration Act 1997</i> and the development is consistent with the reserve purpose and the development is not for a commercial purpose; or</li> <li>• the land is a road of which the local government has the care, control and management under section 55(2) of the <i>Land Administration Act 1997</i> 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,</li> </ul> <p>in respect of development applications being made under or referred to in:</p> <p>(i) section 99(2) of the <i>Planning and Development Act 2005</i> in respect of development for which approval is required under a regional interim development order (as that term is defined in that Act);</p> <p>(ii) section 103(2) of the <i>Planning and Development Act 2005</i> in respect of development for which approval is required under a local interim development order (as that term is defined in that Act);</p> <p>(iii) section 115 of the <i>Planning and Development Act 2005</i> in respect of development within a planning control area (as that term is defined in that Act);</p> <p>(iv) section 122A of the <i>Planning and Development Act 2005</i> in respect of which approval is required under an improvement scheme (as that term is defined in that Act);</p> <p>(v) section 162 of the <i>Planning and Development Act 2005</i> in respect of developments for which approval is required under a planning scheme or interim development order (as those terms are defined in that Act);</p> <p>(vi) section 163 of the <i>Planning and Development Act 2005</i> in respect of development on land which is comprised within a place entered in the Register maintained by the Heritage Council under the <i>Heritage of Western Australia Act 1990</i>, or of which such a place forms part;</p> <p>(vii) section 171A of the <i>Planning and Development Act 2005</i> in respect of a prescribed development application (as that term is defined in that section of that Act).</p>	<p>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 Chitterling 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 Cottlesloe 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 Dornbrook-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</p> <p>Shire of Gingin Shire of Gnowangerup Shire of Goomalling City of Gosnells Shire of Halla 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 Kojoonup Shire of Kondinin Shire of Koorda Shire of Kulin City of Kwinana Shire of Lake Grace Shire of Laverton Shire of Leonora City of Mandurah Shire of Manjimup Shire of Meekatharra City of Melville Shire of Menzies Shire of Merredin Shire of Mingenew Shire of Moora Shire of Morawa Town of Mosman Park Shire of Mount Magnet Shire of Mt Marshall Shire of Mukinbudin Shire of Mundaring Shire of Murchison Shire of Murray</p>	<p>In accordance with and subject to approved Government Land policies.</p> <p>Any signature subject to the following endorsement: Signed only as acknowledgement that a development application is being made in respect of a proposal that includes Crown land, Crown reserves under management for the purpose, or a road and to permit this application to be assessed under the appropriate provision of the <i>Planning and Development Act 2005</i> (including any planning scheme). The signature does not represent approval or consent for planning purposes. Further, in the event that development approval is granted for the proposal, the above signature should not be taken as an acknowledgement of or consent to the commencement or carrying out of the proposed development or to any modification of the tenure or reservation classification of the Crown land component.</p>



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

Shire of Tammin  
 Shire of Three Springs  
 Shire of Toodyay  
 Shire of Trayning  
 Shire of Upper Gascoyne  
 Town of Victoria Park  
 Shire of Victoria Plains  
 Town of Vincent  
 Shire of Wagin  
 Shire of Wandering  
 City of Wanneroo  
 Shire of Waroona  
 Shire of West Arthur  
 Shire of Westonia  
 Shire of Wickkepin  
 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



## 13.2.2 Development Control Powers – Metropolitan Region Scheme

2738

GOVERNMENT GAZETTE, WA

30 May 2017

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**PL403**

**PLANNING AND DEVELOPMENT ACT 2005**

**INSTRUMENT OF DELEGATION**

**Del 2017/02 Powers of Local Governments and Department of Transport**

**Metropolitan Region Scheme**

**Delegation of certain powers and functions of the Western Australian Planning  
Commission relating to the Metropolitan Region Scheme**

**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 to an officer of a public authority or 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 conferred upon the WAPC by the Act or any other written law as the case requires.

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

On 24 May 2017, 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 functions in respect of the determination, in accordance with Part IV of the Metropolitan Region Scheme, of applications for approval to commence and carry out development specified in clauses 1 and 2 of Section A, within their respective districts, subject to the conditions set out in clauses 1 to 4 of Section B;
- B. To delegate to the Managing Director, Policy, Planning and Investment—Transport, of the Department of Transport, and the person or persons from time to time holding or acting in that office, its functions in respect of the determination, in accordance with Part IV of the Metropolitan Region Scheme (MRS), of applications for approval to commence and carry out development specified in clause 3, Section A, subject to the conditions set out in clause 5 of Section B.
- C. To revoke its delegation of powers and functions to local governments as detailed in the notice entitled "DEL 2011/02 Powers of local governments (MRS)" published in the *Government Gazette* on 10 June 2014, to give effect to this delegation,

KERRINE BLENKINSOP, Secretary,  
Western Australian Planning Commission.

**PLANNING AND DEVELOPMENT ACT 2005**  
INSTRUMENT OF DELEGATION

**SECTION A—Types of Development**

**1. Development on zoned land**

Applications for development on land zoned under the MRS except—

- (a) where the land is subject to a resolution under Clause 32 of the MRS; or
- (b) where the land is subject to the declaration of a planning control area under Section 112 of the *Planning and Development Act 2005*; or
- (c) where that land is partly within the development control area described in section 10 of the *Swan and Canning Rivers Management Act 2006* or is outside the development control area but abuts waters within the development control area; or
- (d) where the local government is of the opinion that the application should be determined by the WAPC on the grounds that the proposal is of State or regional importance or is in the public interest, or
- (e) in respect of public works undertaken by public authorities.

**2. Development on regional road reservations**

Applications for developments on or abutting land that is reserved in the MRS for the purpose of a regional road, but excluding any application relating to large format digital signage.

**3. Large Format Digital Signage applications**

Applications from any public authority for development in relation to large format digital signage, on land reserved under the MRS for the purpose of a Primary Regional Road.

**SECTION B—Conditions**

**1. Referral requirements for development on land within or abutting a regional road reservation**

The following applications for development on land that abuts or is fully or partly reserved as regional road reservation (classified as Category 1, 2 and 3) shall be referred to Main Roads WA (MRWA) or the Department of Planning (DoP), as applicable, for transport planning related comments and recommendations before being determined by the local government subject to the process explained in clause 4, Section B.

Type of regional road reservation in the MRS	Classification on plans SP 693 (PRR) and SP 694 (ORR)	Referral Agency
Primary Regional Road (PRR)	Category 1, 2 and 3	Main Roads WA
Other Regional Road (ORR)	Category 1, 2 and 3	Department of Planning

The regional road network (PRR and ORR) changes periodically with amendments to the MRS. This clause relates to all regional road reservations in the MRS as amended from time to time. Regional roads subject to this notice and the relevant agency that is responsible for their planning are shown on accompanying editions of plans SP 693 (PRR, MRWA) and SP 694 (ORR, WAPC).



The road categories shown on plans SP 693 (PRR) and SP 694 (ORR) classify the regional roads based on—

- (a) the permissible vehicular access arrangements to the subject land via the regional road frontage
  - Category 1 road means that frontage access is not allowed (control of access);
  - Category 2 road means that frontage access may be allowed subject to approval; and
- (b) the legibility and statutory powers of current road land requirements defined for the purpose of regional road reservation in the MRS
  - Category 3 road means that the subject regional road reservation is not accurately defined or is subject to review by the agency that is responsible for planning of the regional road.

“Category 1 road” applies where regional roads—

- (a) are constructed or planned to a fully controlled and grade separated freeway standard; or
- (b) are constructed or planned to an access controlled arterial standard, (i.e. functioning as Primary Distributor or Integrator Arterial (District Distributor) road with widely spaced signalised intersections or roundabouts, and a few, if any, direct access points to individual sites or local streets.

“Category 2 road” applies where regional roads—

- (a) are constructed or planned to a partially access controlled arterial standard, (i.e. a primary or district distributor road with direct connections to local streets and driveways to larger sites, but with some restriction of direct frontage access to individual properties); or
- (b) have direct frontage access to abutting properties due to the historic development of the road and properties.

“Category 3 road” applies where regional road reservation is not accurately defined or is under review.

For enquiries and assistance regarding—

- (a) PRR Category 1, 2 and 3—call Main Roads WA on 138 138.
- (b) ORR Category 1, 2 and 3—call Department of Planning on (08) 6551 9000.

Tables 1, 2 and 3 below outline the category of the regional road reservation and the criteria for referring development applications to agencies for comment in accordance with this instrument of delegation.

**Table 1—Referral process of development applications with respect to Category 1 (PRR or ORR reservations in the MRS)**

Respective referral agency (as per Section B)	
Referral is required in these instances	Referral is not required in these instances
1. Where a development application has one or more of the following characteristics— <ul style="list-style-type: none"> <li>(a) Development, including earthworks and drainage, which encroaches or impacts upon the road reservation; or</li> <li>(b) Development with potential for a significant increase in traffic using any access, either directly or indirectly, onto the road reservation; or</li> <li>(c) Development, which involves direct vehicle access to and/or from the regional road reservation.</li> </ul>	1. Where the local government first decides to refuse the application under the MRS; or 2. Under circumstances where the application is for an ancillary and incidental addition or modification to an existing authorised development, which does not encroach upon the road reservation and has no intention to alter existing access arrangements.

**Table 2—Referral process of development applications with respect to Category 2 (PRR or ORR reservations in the MRS)**

Respective referral agency (as per Section B)	
Referral is required in these instances	Referral is not required in these instances
1. Where a development application has one or more of the following characteristics— <ul style="list-style-type: none"> <li>(a) Development, including earthworks and drainage, which encroaches or impacts upon the road reservation; or</li> <li>(b) Development with potential for a significant increase in traffic on the regional road using any access, either directly or indirectly, onto the road reservation; or</li> </ul>	1. Where the local government first decides to refuse the application under the MRS; or 2. Under circumstances where the application is for an ancillary and incidental addition or modification to an existing authorised development, which does not encroach upon the road reservation and has no intention to alter existing access arrangements.



Respective referral agency (as per Section B)	
Referral is required in these instances	Referral is not required in these instances
<ul style="list-style-type: none"> <li>(c) Development, which involves the retention of more than one existing access; or additional, relocated or new access between the subject land and the road reservation; or</li> <li>(d) Development, which proposes retention of an existing access between the subject land and the road reservation, where alternative access is or could be made available from side or rear streets or from rights of way at rear; or</li> <li>(e) Development on a lot affected by the regional road reservation where—               <ul style="list-style-type: none"> <li>• all or part of the proposed development is within the regional road reservation; and</li> <li>• has a construction value greater than \$20 000; or</li> </ul> </li> <li>(f) Development on a lot affected by the regional road reservation where—               <ul style="list-style-type: none"> <li>• none of the proposed development is within the regional road reservation; and</li> <li>• has a construction value greater than \$150 000</li> </ul> </li> </ul>	

**Table 3—Referral process of development applications with respect to Category 3 (PRR or ORR reservations in the MRS)**

Respective referral agency (as per Section B)	
Referral is required in these instances	Referral is not required in these instances
1. All development applications, other than those where local government first decides to refuse it.	1. Where the local government first decides to refuse the application under the MRS

**Notes—**

- (1) Copies of plans SP 693 (PRR) and SP 694 (ORR) are available from the WAPC's website: "Resolutions and instruments of delegation—WAPC Powers of local governments (MRS)". (<http://www.planning.wa.gov.au/1212.asp>)
- (2) In determining applications under this delegation, local governments shall have due regard to relevant WAPC and MRWA policy and guidelines, including but not limited to the Commission's DC Policy—5.1 *Regional Roads (Vehicular Access)*, the Transport Impact Assessment Guidelines, and MRWA *Driveways Policy*, which set out the principles and requirements to be applied when considering proposals for vehicle access to or from developments abutting certain categories of regional roads.  
(<http://www.planning.wa.gov.au/publications/812.asp>; and <https://www.mainroads.wa.gov.au/BuildingRoads/StandardsTechnical/RoadandTrafficEngineering/GuidetoRoadDesign/Pages/Driveways.aspx>)
- (3) Local governments shall ensure that sufficient transport information accompanies the development application to assist the referral agency in assessing the transport implications of the proposal. This information should be provided in accordance with the WAPC's *Transport Impact Assessment Guidelines*. (<http://www.planning.wa.gov.au/publications/1197.asp>)
- (4) With regard to proposals for new noise-sensitive developments, the local government shall have due regard to the provisions of Commission's *State Planning Policy—5.4 Road and Rail Transport Noise and Freight Considerations in Land Use Planning*. (<http://www.planning.wa.gov.au/publications/1182.asp>)
- (5) With regard to development application for the display of advertisements on land reserved under the MRS local government should have regard to the Commission's DC Policy 5.4 *Advertising on Reserved Land*. (<http://www.planning.wa.gov.au/publications/825.asp>)

**2. Referral requirements for development on land abutting the Swan River Trust Development Control Area**

Applications for development on land that is outside the development control area but abutting land that is in the development control area, or which in the opinion of the local government are likely to affect waters in the development control area, shall be referred to the Swan River Trust for comment and recommendation before being determined by the local government.



### 3. Referral requirements for development on land abutting other reservations

Applications for development on land abutting land reserved in the MRS for purposes other than regional roads or Parks and Recreation (where the reservation corresponds with the Swan River Trust development control area and is covered by Clause 2, Section B of this notice) shall be referred to the public authority responsible for that reserved land for comment and recommendation before being determined by the local government.

In the case of land reserved for the purpose of Parks and Recreation, which is not vested or owned by another public authority, the applications shall be referred to the Department of Planning before being determined by the local government.

### 4. For the purpose of this Instrument of Delegation (excluding applications under clause 3, Section A)—

- (a) Where an application is referred by the local government to a public authority for comment and recommendation, the public authority shall provide comment and a recommendation, if any, within 30 days of receipt of the application. If no comment or recommendation is received within that 30 day period the local government may determine the application on the available information.
- (b) Where the recommendation provided by the public authority specified in the delegation notice is not acceptable to the local government the application, together with the recommendations provided by all public authorities consulted and the reasons why the recommendation is not acceptable to the local government, shall be referred immediately to the WAPC for determination.
- (c) The powers delegated to a member or officer of a local government may only be exercised by a member or officer who has been delegated power from the local government to consider and determine applications for approval to commence and carry out development within the local government district under the local government's local planning scheme.

### 5. Referral Requirements for applications from a public authority for large format digital signage development on land within a Primary Regional Road reservation

Where applications for large format digital signage development relate to land that is reserved as Primary Regional Roads (PRR) reservation in the MRS, the following shall apply—

- (a) DoT shall refer the application to the relevant local government and Main Roads WA for comment and recommendation;
- (b) the local government and Main Roads WA shall provide their comments and recommendations, if any, to the delegate within 30 days of receipt of the application;
- (c) Once the 30 day period has elapsed, the delegate may determine the application, even in the absence of comments and recommendations; and
- (d) the delegate is not bound to follow any recommendation received.

### Interpretation

In this Instrument of Delegation, unless the context otherwise requires—

- A reference to a 'position' or 'classification' contemplates and includes a reference to its successor in title.
- "access" means both entry and exit from either a road or abutting development by a vehicle.
- "Commission" or "WAPC" means the "Western Australian Planning Commission".
- "development" has the same meaning given to it in and for the purposes of the *Planning and Development Act 2005* or "development means the development or use of any land, including—
  - (a) any demolition, erection, construction, alteration of or addition to any building or structure on the land;
  - (b) the carrying out on the land of any excavation or other works;
  - (c) in the case of a place to which a Conservation Order made under section 59 of the *Heritage of Western Australia Act 1990* applies, any act or thing that—
    - (i) is likely to change the character of that place or the external appearance of any building; or
    - (ii) would constitute an irreversible alteration of the fabric of any building".
- "DoT" means the Department of Transport
- "Large format digital signage" means an electronic billboard whether freestanding or attached to another structure with a display area of greater than 13m<sup>2</sup> "local government" means a local government within the area covered by the MRS.
- "local road" means a public road other than a private road or a road subject of reservation under Part II of the MRS.
- "not acceptable" means that the local government wishes to determine the application, as a delegate of the WAPC, in a manner that is inconsistent with the recommendation received from the public agency to which the local government was required to consult under this Notice of Delegation.
- Main Roads WA means Main Roads Western Australia
- "Public authority" means any of the following—
  - (a) a Minister of the Crown in right of the State;



- (b) a department of the Public Service, State trading concern, State instrumentality or State public utility;
- (c) any other person or body, whether corporate or not, who or which, under the authority of a written law, administers or carries on for the benefit of the State, a social service or public utility;
- “regional road” means any road designated under the region Scheme as follows—
  - (a) land coloured red in the Scheme Map—Primary Regional Roads; and
  - (b) land coloured dark blue in the Scheme Map—Other Regional Roads.
- “reserved land” means land reserved under Part II of the MRS.
- “road reservation” means land reserved for the purposes of a regional road in the MRS.
- “significant increase in traffic” means generating more than 100 vehicle trips in the peak hour and would therefore require a transport assessment to accompany the development application. Refer to the Commission’s *Transport Impact Assessment Guidelines*

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## PLANNING

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PL101

*CORRECTION***PLANNING AND DEVELOPMENT ACT 2005****INSTRUMENT OF DELEGATION**

Del 2017/02 Powers of Local Governments and Department of Transport

Metropolitan Region Scheme

Certain typographical errors were recorded in the Instrument of Delegation, made under the *Planning and Development Act 2005*, and published on 30 May 2017 from page 2738 to 2743 of the *Government Gazette*.

The errors are corrected as follows—

1. On page 2739, the text of Resolution C is deleted and replaced with the following words—  
“TO REVOKE its delegation of powers and functions to local governments and the Department of Transport as detailed in the notice entitled “DEL 2015/02 Powers of local governments and Department of Transport (MRS)” published in the *Government Gazette* on 18 December 2015, to give effect to this delegation.”



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**PLANNING**

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PL402

**PLANNING AND DEVELOPMENT ACT 2005****AMENDMENT TO INSTRUMENT OF DELEGATION—POWERS OF LOCAL GOVERNMENT AND DOT**

Notice of amendment to the Instrument of Delegation, Instrument of Delegation 2017/02—Powers of Local Governments and Department of Transport, Metropolitan Region Scheme, as gazetted on 30 May 2017

**Preamble**

Under section 16 of the *Planning and Development Act 2005* (the Act), the Western Australian Planning Commission (WAPC) may, by resolution published in the *Government Gazette*, delegate any function to a member, committee or officer of the WAPC or to a public authority or to a member or officer of a public authority.

In accordance with section 16 (4) of the Act, a reference in this instrument to a function or 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 conferred on the WAPC by the Act or any other written law as the case requires.

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

On 12 December 2018, pursuant to section 16 of the Act, the WAPC resolved—

- A. To amend the Instrument of Delegation 2017/02—Powers of Local Governments and Department of Transport, Metropolitan Region Scheme as gazetted on 30 May 2017, as set out in Schedule 1 below.

SAM FAGAN, Secretary,  
Western Australian Planning Commission.

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**Schedule 1****1. Instrument of delegation amended**

The amendments within this Schedule are to the Schedules set out in the Instrument of Delegation 2017/02—Powers of Local Governments and Department of Transport, Metropolitan Region Scheme, as gazetted on 30 May 2017 and as amended.

**2. Amendment to Section A**

1. The word “but excluding any application relating to large format digital signage” are deleted from clause 2.
2. Clause 3 is deleted.

**3. Amendments to Section B**

1. The words in brackets “(excluding applications under clause 3, Section A)” are deleted from the title to clause 4.
  2. Clause 5 is deleted.
  3. In the interpretation section the terms “Large format digital signage” and “Public Authority” and their respective definitions, are deleted.
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## 13.2.3 Western Australian Planning Commission – Section 25 of the Strata Titles Act 1985

Published by:  
Planning and Infrastructure

GOVERNMENT GAZETTE Western  
Australia  
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No. 98, 09-Jun-2009  
Page: 1936 Pdf - 429kb

PI409

### PLANNING AND DEVELOPMENT ACT 2005 Instrument of Delegation Del 2009/03 Powers of Local Governments

**Delegation to local governments of certain powers and functions of the Western Australian Planning Commission relating to the issuing of certificates of approval under section 25 of 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 26 May 2009, 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 25 of the *Strata Titles Act 1985* as set out in clause 1 of Schedule, within their respective districts, subject to the conditions set out in clause 2 of Schedule 1.

TONY EVANS, Western Australian Planning Commission.

#### SCHEDULE 1

##### 1. Applications made under section 25 of the *Strata Titles Act 1985*

Power to determine applications for the issuing of a certificate of approval under section 25 of the *Strata Titles Act 1985* for a plan of subdivision, re-subdivision or consolidation, except those applications that—

- (a) propose the creation of a vacant lot;
- (b) propose vacant air stratas in multi-tiered strata scheme developments;
- (c) 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. Reporting requirements

A local government that exercises the power referred to in clause 1 is to provide WAPC with data on all applications determined under this Instrument of Delegation at the conclusion of each financial year in the format prescribed by the WAPC.



## Division 13.3 – Main Roads Act 1930

### 13.3.1 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 THE TOWN OF CAMBRIDGE (Authorised Body) by itself, its employees, consultants, agents and contractors (together "Representatives") to, from the date indicated below, erect, establish, display, alter or take down such road signs of whatsoever type or class (except for permanent traffic control signals) as may be required for the purpose and duration of any:

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

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

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

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

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

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



Dated: 27 MAR 2007

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

Peter Woronow  
Name of Witness (please print)

**ACKNOWLEDGMENT BY AUTHORISED BODY**

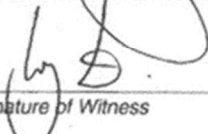
TOWN OF CAMBRIDGE agrees to unconditionally observe,  
perform and be bound by the above conditions.

THE COMMON SEAL of

TOWN OF CAMBRIDGE  
{insert name of Local Government}

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

JASON BUCKLEY   
Signature of Chief Executive Officer

  
Signature of Witness

CRAIG CRANK  
Name of Witness (please print)



### 13.3.2 Traffic Management – Road Works

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

			23 July 2015
Enquiries:	Gareth Peers on 9323 4619		
Our Ref:	15/2559		
	Jason Buckley Town of Cambridge PO Box 15 FLOREAT WA 6014		
	Dear Mr Buckley		
	<b>AUTHORITY TO USE TRAFFIC SIGNS AND DEVICES FOR WORK ON ROADS INSTRUMENT OF AUTHORISATION – PROCEDURES FOR AUTHORISING TRAFFIC MANAGEMENT</b>		
	The Commissioner of Main Roads, in accordance with regulation 297(2) <i>Road Traffic Code 2000</i> , has previously issued an Instrument of Authorisation to Town of Cambridge to allow deployment of temporary traffic signs and devices on roads within its jurisdiction for the purposes of managing traffic during road works (subject to the conditions of the Instrument) without further approval from Main Roads.		
	The purpose of this letter is to obtain a copy of the procedures that have been implemented within Town of Cambridge when authorising temporary traffic management.		
	Condition (b) of the Instrument of Authorisation (the Instrument) is the Town of Cambridge 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 Traffic Management for Works on Roads Code of Practice.		
	To ensure the above condition is met Main Roads, with significant contribution from the City of Nedlands and the City of Perth, has developed the attached Administrative Protocol and Procedural Manual for the authorisation of temporary traffic management for road works. In accordance with the Instrument, these documents are what the Commissioner of Main Roads requires each Authorised Body to have in place and follow to meet the requirements of the Instrument.		
	The <i>Occupational Safety and Health Act 1984</i> requires that a person who has control of a workplace takes such measures as are practicable to ensure persons who are at the workplace are not exposed to hazards. This applies to road workers and road users who are at or pass through road works. According to Worksafe, a lack of procedural guidelines for authorising traffic management at road works sites may constitute a breach of the Act. Therefore, Road Authorities as Authorised Bodies have a duty of care to all road workers and road users at road works sites on their network.		



This protocol and procedure will promote safe and consistent traffic management practices at road works. The end result will be the safety of all road users and road workers while minimising the disruption and inconvenience to all road users. A similar protocol and procedure will also be a requirement of utility providers that hold an Instrument of Authorisation. An increase in the quality of traffic management at roadwork's undertaken by utility service providers is expected.

The current format of the protocol and procedure is a template and as such can be modified (within the intent of the documents) to suit each individual Local Government's capacity and requirements. **It is understood that some Local Governments may already have a protocols and procedures in this regard which need to be provided to Main Roads.**

An electronic copy of the protocol and procedures can be found on the Main Roads website at [www.mainroads.wa.gov.au](http://www.mainroads.wa.gov.au) > 'Our Roads' > 'Traffic Management' > 'Workzones on Roads' > 'Authorisation Agreement (Roadworks)'

If you require any further information please contact Gareth Peers on (08) 9323 4619 or [gareth.peers@mainroads.wa.gov.au](mailto:gareth.peers@mainroads.wa.gov.au)

Yours faithfully

Reece Waldock  
Commissioner of Main Roads

Enc – Administrative Protocol and Procedural Manual for the review and authorisation of Temporary Traffic Management for Works on Roads.



Ref No. 2323698

27 August 2015

Mr Gareth Peers  
Main Roads WA  
C/O - gareth.peers@mainroads.wa.gov.au

Dear Gareth

**AUTHORITY TO USE TRAFFIC SIGNS AND DEVICES FOR WORK ROADS  
INSTRUMENT OF AUTHORISATION - PROCEDURES FOR AUTHORISING  
TRAFFIC MANAGEMENT**

I refer to the correspondence received from Commissioner Reece Waldock on 23 July 2015 regarding an Instrument of Authorisation for Traffic Management in the Town of Cambridge.

Copies of the following documents are attached:

- Town of Cambridge Administrative Protocol for Traffic Management for Works on Roads; and
- Town of Cambridge Procedure Manual: Traffic Management for Works on Roads is attached.

Both have been endorsed and signed by the Chief Executive Officer, Mr Jason Buckley.

The Chief Executive Officer has delegated authority to four of the Town's officers to authorise traffic management plans for roadworks in the Town of Cambridge.

If you have any further queries in relation to this matter please contact Frank Strever, Coordinator Infrastructure Design on (08)9347 6068 or [fstrever@cambridge.wa.gov.au](mailto:fstrever@cambridge.wa.gov.au)

Yours sincerely

**CHRIS COLYER**  
DIRECTOR INFRASTRUCTURE

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## Administrative Protocol: Traffic Management for Works on Roads

<b>Status</b>	Administration
<b>Responsible Division</b>	Infrastructure
<b>Objective</b>	Ensure the safety of all workers and road users in line with safe system principles by establishing uniform procedures for reviewing and authorising traffic management at work sites ensuring compliance with conditions given in the Instrument of Authorisation.

### Context

This protocol recognises that in accordance with the *Road Traffic Code 2000* (the Code): Regulation 297(2), Instrument of Authorisation (IoA) issued to the Town of Cambridge by the Commissioner (the Commissioner) of Main Roads Western Australia (MRWA), Town of Cambridge is obliged to develop and implement traffic management procedures that will satisfy the Commissioner, that work on roads within Town of Cambridge will always comply with the "Traffic Management for Works on Roads Code of Practice".

### Statement

The Town of Cambridge actively supports the MRWA "Traffic Management for Works on Road Code of Practice" (Works Code of Practice) and will conduct its business in such a way as to:

- Comply with the requirements of the latest amendment to the Works Code of Practice AND AS1742.3 for all work within the road reserve undertaken by Town of Cambridge and its agents;
- Authorise other parties not subject to an IoA to implement roadworks traffic management within their jurisdiction. Prior to and after authorisation is given, Town of Cambridge shall ensure that the traffic management is in accordance with the "Works Code of Practice".
- Recognise that it has a duty of care under the Occupational Safety and Health Act 1984 to provide and maintain a safe place of work for its employees, consultants, agents and contractors to ensure that persons who have access to the workplace including road users are not exposed to hazards.



- Ensure that a generic or specific (dependent on situation) traffic management plan (TMP) has been prepared for all works within the road reserve that require traffic management.
- Keep a record of the traffic management plans and in particular the sign and device arrangement and any changes to such during the works for a period of seven (7) years from the date of completion of the works.
- Ensure operational road works traffic management tasks are only undertaken by persons who are accredited or are directly managed onsite by a person with MRWA - Basic Worksite Traffic Management accreditation. Where persons are controlling traffic they shall have MRWA - Traffic controller accreditation.
- Ensure that appropriate training is given to allow for the preparation, modification, review and recommendation of TMP's for roadworks sites.

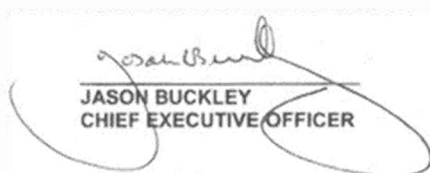
#### **Related documentation**

Main Roads Western Australia Instrument of Authorisation for Works.  
Main Roads Western Australia Traffic Management for Works on Roads Code of Practice. Australian Standard AS 1742.3 Manual of Uniform Traffic Control Devices. Part 3 Traffic Control for Works on Roads.  
AS/NZS ISO 31000 - Risk Management - Principles and Guidelines Traffic Controllers' Handbook.

#### **Related local law and legislation**

*Local Government Act 1995*  
*Local Government (Uniform Local Provisions) Regulations 1996* *Main Roads Act 1930*  
*Occupational Safety and Health Act 1984* *Road Traffic Act 1974*  
*Road Traffic Code 2000* *Thoroughfares Local Law*

#### **Approved**



**JASON BUCKLEY**  
**CHIEF EXECUTIVE OFFICER**

Date 25 August 2015



## Procedure Manual: Traffic Management for Works on Roads

### Overview

Any party undertaking work within the Town of Cambridge shall assess the need for a Traffic Management Plan (TMP). The Town of Cambridge shall check the assessment to ensure a TMP has been provided where required. Where a TMP is required the Town of Cambridge shall ensure that the TMP adequately provides for the safety of workers and road users, while maintaining an adequate level of service. All TMP's shall be prepared, reviewed and implemented by a person holding appropriate Main Roads WA accreditation. This will occur prior to the Town of Cambridge authorising the TMP for implementation.

### Quality Assurance

Prior to proceeding with any TMP, requirements for assurance of quality shall be as follows:

#### 1. Personnel

- a) The person preparing the TMP is Advanced Worksite Traffic Management (AWTM) accredited;
- b) The person reviewing the TMP is Worksite Traffic Management (WTM) or AWTM accredited OR has an equivalent level of knowledge and experience;
- c) The person reviewing the TMP has a Main Roads WA account and is subscribed to Traffic Management updates (go to [www.mainroads.wa.gov.au](http://www.mainroads.wa.gov.au) > My Account)
- d) The person supervising/managing the implementation of the TMP is accredited with Basic Worksite Traffic Management (BWTM).

#### 2. The Traffic Management Plan

- a) The TMP has been checked for suitability. For guidance refer to MRWA Suitability Checklist (<https://www.mainroads.wa.gov.au> >Our Roads>Traffic Management>Plan Preparation>Traffic Management Checklists).
- b) The TMP is appropriate ensuring there are no conflicting works or events at / or near the location.
- c) The Town of Cambridge will occasionally arrange for onsite review of traffic management at roadwork sites ensuring compliance with Works Code of Practice (this include both internal and external works). This will be undertaken by a WTM or AWTM accredited person OR a person with an equivalent level of knowledge and experience.



## **Traffic Management Plan Process**

### TMP Preparation Process

1. The TMP preparation shall be carried out in advance of the works and shall allow time needed to carry out consultation, sufficient notification, authorisation and implementation. Projects affecting ratepayers and businesses may require significant consultation and advertising of works.
2. The TMP shall be submitted to the authorising officer for review.

### TMP Authorisation Process

1. Authorising officer is to determine if the traffic management scheme is simple or complex in nature (as per section 5.2.2 of Works Code of Practice) and do the following:
  - a) Complex - TMP is to be forwarded to a suitably qualified Roadworks Traffic Manager (ATM) for endorsement (ATM to liaise with plan author and authorising officer) prior to road authority authorisation.
  - b) Simple – authorising officer to check the TMP for suitability (see section 2 above).
2. Where there is non-compliance, the author is to be contacted with the recommended changes and asked to either:
  - a) Check the recommendations and modify the TMP if appropriate; or
  - b) Justify the existing plan against the appropriate standards.
3. Once the TMP has been deemed to be suitable by the authorising officer, the TMP will be authorised for implementation by the CEO or their delegate (either by signature on the TMP cover page or by emailing and referencing the TMP number and revision number).

### Post Implementation Review Process

To improve traffic management on the network, on-site inspections and operational checks should be performed (where required) once the TMP has been implemented:

1. The onsite inspection is a check of the signs, devices, method statements and workers accreditation applied on site. This should ideally be done by someone holding a Basic Worksite Traffic Management (BWTM) accreditation. This ensures that all traffic management including appropriate after care is being implemented at the correct stage of the works.



2. For complex or long term worksites; an operational check involves an onsite drive through and check of the operation of the traffic management focusing on road efficiency, road user compliance and road safety should be undertaken by the authorising officer or an appropriately trained (WTM/AWTM) independent contractor.

#### **Related documentation**

Administrative Protocol – Traffic Management for Works in a Road Reserve. Main Roads Western Australia Instrument of Authorisation for Works.

Main Roads Western Australia Traffic Management for Works on Roads Code of Practice. Australian Standard AS 1742.3-2009 Manual of Uniform Traffic Control Devices, Part 3 Traffic Control for Works on Roads.

AS/NZS ISO 31000 – Risk Management – Principles and Guidelines Traffic Controllers' Handbook.

#### **Related local law and legislation**

*Local Government Act 1995*

*Local Government (Uniform Local Provisions) Regulations 1996 Main Roads Act 1930*

*Occupational Safety and Health Act 1984 Road Traffic Act 1974*

*Road Traffic Code 2000 Thoroughfares Local Law*

#### **Approved**

  
JASON BUCKLEY  
CHIEF EXECUTIVE OFFICER

Date 25 August 2015



### Definitions

Term	Definition
AS:	Australian Standard
AS/NZS	Australian / New Zealand Standard
Authorising Officer	Any Town of Cambridge Officer that is accredited to Advanced Worksite Traffic Management level or has equivalent level of knowledge and experience.
Complex	As defined in section 5.2.2 of the Traffic Management for Works on Roads Code of Practice.
Duty of Care	The legal duty on the part of all employers, employees and others including contractors and consultants who have an influence on the potential hazards in a work site, which requires them to take reasonable care to protect the health and safety of others at the work site including road users who may be at a foreseeable risk of harm.
Party	Anybody undertaking works in the road reserve.
Road	For the purpose of this Code has the same meaning as that defined in Main Roads Act
Road reserve	For the purpose of this Code includes the land set aside, gazetted under an enactment or commonly used by the public as a road and all verges, traffic islands, median strips and other provisions associated therein for the conveyance or travel persons but does not include private tenements or freehold land.
Simple	Simple traffic management arrangements are low speed, low impact and short term works for residential roads.
Traffic Control Diagram (TCD):	Detailed drawings depicting the layout and type of traffic control devices to be used for all situations likely to be encountered during the works.
Traffic Management Plan (TMP)	A document containing Traffic Control Diagrams and documentation of project details in regard to traffic management at a work site. The documentation of project details includes, inter alia, responsible personnel, proposed timing of the works, authorisations that have been gained, traffic volume/type details, documentation of risk management and special provisions for specific road user types.



## Division 13.4 – Road traffic (Vehicles) Act 2012

### 13.4.1 Approval for Certain Local Government Vehicles to be Special Use



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:



## Annexure – Designated Officers by Position

Title	Name	Delegation / Sub Delegation(s)
Administration Officer	CANN Janine	5.1.1
Administration Officer	McCULLY Nicole	5.1.1
Administration Officer	TRAYNOR Kirstyn	5.1.1
Administration Officer	WELLSTEAD Rebecca	5.1.1
Compliance Officer	KEOGH Peter	2.1.1; 2.1.3; 2.1.4; 2.1.5; 2.1.6; 2.1.7
Compliance Officer	PLICHCINSKI Stephanie	2.1.1; 2.1.3; 2.1.4; 2.1.5; 2.1.6; 2.1.7
Coordinator Asset Management	LAROCHE Peter	1.2.19
Coordinator Building Maintenance	WELLSTEED Phillip	1.2.19
Coordinator Community Development (Acting)	AYLETT Courtney	1.2.19
Coordinator Community Development	MCINTOSH Renee	1.2.19
Coordinator Design, Waste, and Technical Services	WHITE Kevin	1.2.19; 2.2.18; 2.2.19
Coordinator Governance and Office of CEO	GYOMOREI Lee	1.2.19; 1.3.5; 1.3.6; 1.3.7; 1.3.9
Coordinator Health and Compliance	BISSETT Graeme	1.2.19; 2.1.1; 2.1.2; 2.1.3; 2.1.4; 2.1.5; 2.1.6; 2.1.7; 2.2.4; 2.2.5; 2.2.6; 2.2.7; 2.2.8; 2.2.9; 5.1.1
Coordinator IT Systems	LUTZ Owen	1.2.19;
Coordinator Library Services and Local History	PICKERILL Jacqueline	1.2.19
Coordinator Parks	CROWTHER Mark	1.2.19
Coordinator Parks	WILLIAMS Mark	1.2.19
Coordinator People and Culture	Vacant	1.2.19
Coordinator Projects	PUTLAND George	1.2.19
Coordinator Property and Procurement	O'KEEFE Paul	1.2.19
Coordinator Ranger and Community Safety Services	ALLIES Mark	1.2.5; 1.2.6; 1.2.7; 1.2.19; 2.1.1; 2.1.3; 2.1.4; 2.1.5; 2.1.6; 2.1.7; 2.2.4; 2.2.5; 2.2.15; 2.2.17; 2.2.18; 2.2.19; 5.1.1; 5.1.4; 5.1.5;
Coordinator Statutory Planning	BRATLEY Andrew	12.1.4
Coordinator Works	SILVESTRO Charlie	1.2.19
Crew Leader Contracts	WILLMOTT David	1.2.19
Crew Leader Maintenance and Works	KRSTESKI Dusan	1.2.19
Crew Leader Parks	BURN Michael	1.2.19
Crew Leader Parks	SCIBILIA Domenic	1.2.19
Crew Leader Projects	MUIA Michael	1.2.19
Director Corporate and Community Services	ROBBINS Cameron	1.2.6; 1.2.15; 1.2.19; 1.2.20; 1.2.21; 1.2.22; 1.2.23; 1.2.24; 1.2.25; 1.2.26; 1.2.34; 1.3.8; 2.2.14; 2.2.16; 10.1.2



Title	Name	Delegation / Sub Delegation(s)
Director Infrastructure and Works	HINCKS Kelton	1.2.6; 1.2.8; 1.2.10; 1.2.12; 1.2.13; 1.2.15; 1.2.19; 1.2.34; 1.3.1; 1.3.2; 1.3.3; 1.3.4; 2.2.2; 2.2.3; 2.2.10; 2.2.11; 8.1.3; 8.1.4;
Director Planning and Development (Acting)	CAMMELL Brett	1.2.6; 1.2.8; 1.2.14; 1.2.15; 1.2.19; 1.2.34; 1.3.1; 1.3.2; 1.3.3; 1.3.4; 1.3.10; 2.2.10; 2.2.11; 2.2.12; 2.2.13; 2.2.14; 2.2.16; 3.1.1; 3.1.2; 3.1.3; 3.1.6; 3.1.7; 3.1.8; 3.1.9; 5.1.1; 5.1.2; 5.1.4; 5.2.1; 6.1.1; 6.1.2; 6.1.4; 6.1.5; 6.1.9; 8.1.1; 8.1.2; 8.1.3; 8.1.4; 10.1.1; 10.1.2; 12.1.4
Environmental Health Officer	CHENOWETH Rhiannon	2.1.1; 2.1.2; 2.1.3; 2.1.4; 2.1.5; 2.1.6; 2.1.7; 5.1.1
Environmental Health Officer	HERATH Shalini	2.1.1; 2.1.2; 2.1.3; 2.1.4; 2.1.5; 2.1.6; 2.1.7; 5.1.1
Events Coordinator	LANGFORD Karen	1.2.19
Executive and Elected Member Liaison Officer	JACKSON Tracey	1.2.19
General Manager Wembley Golf Course	MADDEN Joshua	1.2.15; 1.2.19;
Golf Course Superintendent	WILSON Darren	1.2.19
Human Resources Systems Officer	SILVER Jasper	1.2.19
Leading Hand Built Assets (Parks)	MILLMAN David	1.2.19
Leading Hand Tree Services	MARTIN Andrew	1.2.19
Maintenance Officer	KESICH Steven	1.2.19
Maintenance Officer	MACKNEY Mark	1.2.19
Manager Bold Park Aquatic	HUMPHREYS Stefan	1.2.15; 1.2.19;
Manager Community Services	NARULA Priya	1.2.15; 1.2.19; 2.2.14; 2.2.16;
Manager Corporate Business	ANDREWS Robert	1.2.15; 1.2.19
Manager Finance	RUITENGA Roy	1.2.15; 1.2.19; 1.2.21; 1.2.22; 1.2.23; 1.2.25; 1.2.26; 1.3.8; 1.3.9
Manager Infrastructure Assets and Design	MALONEY Peter	1.2.15; 1.2.19
Manager Legal and Risk	CAVANAGH Martyn	1.2.19; 1.3.5; 1.3.6; 1.3.7; 1.3.9
Manager Parks and Natural Environment	HEAD Andrew	1.2.15; 1.2.19
Manager People and Culture	KING Natasha	1.2.15; 1.2.19
Manager Regulatory Services	CLEAVER Steve	1.2.5; 1.2.6; 1.2.7; 1.2.8; 1.2.10; 1.2.11; 1.2.12; 1.2.13; 1.2.14, 1.2.15; 1.2.19; 1.3.1; 1.3.2; 1.3.3; 1.3.4; 1.3.10; 2.1.1; 2.1.2; 2.1.3; 2.1.4; 2.1.5; 2.1.6; 2.1.7; 2.2.1; 2.2.2; 2.2.3; 2.2.4; 2.2.5; 2.2.6; 2.2.7; 2.2.8; 2.2.9; 2.2.10; 2.2.11; 2.2.12; 2.2.13; 2.2.14; 2.2.15; 2.2.16; 2.2.17; 2.2.19; 2.2.19; 3.1.1; 3.1.2; 3.1.3; 3.1.6; 3.1.7; 3.1.8; 3.1.9; 5.1.1; 5.1.2; 5.1.4; 5.1.5; 5.2.1; 6.1.1; 6.1.2; 6.1.4; 6.1.5; 6.1.9; 7.13; 7.1.6; 8.1.1; 8.1.2; 8.1.3; 8.1.4; 10.1.1; 10.1.2;
Manager Statutory Planning	HEYES Jennifer	1.2.15; 1.2.19; 10.1.1; 12.1.4
Manager Strategic Planning (Acting)	SHRUB Simon	1.2.15; 1.2.19; 12.1.4;



Title	Name	Delegation / Sub Delegation(s)
Manager Technical Services and Works	FOXCROFT Peter	1.2.8; 1.2.10; 1.2.12; 1.2.13; 1.2.15; 1.2.19; 1.3.1; 1.3.2; 1.3.3; 1.3.4; 2.2.2; 2.2.3; 2.2.10; 2.2.11; 2.2.18; 2.2.19;
Operations Manager	ROACH Jason	1.2.19
Organisational Safety and Development Officer	OVENS Sharon	1.2.19
Ranger	CURTIS Katrina	1.2.5; 1.2.6; 1.2.7; 2.1.1; 2.1.3; 2.1.4; 2.1.5; 2.1.6; 2.1.7; 5.1.1
Ranger	LAWRENCE Luke	1.2.5; 1.2.6; 1.2.7; 2.1.1; 2.1.3; 2.1.4; 2.1.5; 2.1.6; 2.1.7; 5.1.1
Ranger	McBRIDE Joanna	1.2.5; 1.2.6; 1.2.7; 2.1.1; 2.1.3; 2.1.4; 2.1.5; 2.1.6; 2.1.7; 5.1.1
Ranger	MILLINGTON Simon	1.2.5; 1.2.6; 1.2.7; 2.1.1; 2.1.3; 2.1.4; 2.1.5; 2.1.6; 2.1.7; 5.1.1
Ranger	STEVENS Susan	1.2.5; 1.2.6; 1.2.7; 2.1.1; 2.1.3; 2.1.4; 2.1.5; 2.1.6; 2.1.7; 5.1.1
Ranger	SWIFT Tanisha	1.2.5; 1.2.6; 1.2.7; 2.1.1; 2.1.3; 2.1.4; 2.1.5; 2.1.6; 2.1.7; 5.1.1
Senior Administration Officer	PEARCE Rachael	1.2.19
Senior Administration Officer Corporate Support	GOULD Sarah	1.2.19
Senior Administration Officer	DECKE Amanda	1.2.19
Senior Building Surveyor	THOMPSON Vance	3.1.1; 3.1.2; 3.1.3; 3.1.6; 3.1.7; 3.1.8; 3.1.9
Senior Community Development Officer (Seniors)	ALLEN Diana	1.2.19
Senior Landscape Officer	BEWLEY Patrick	1.2.19
Senior Ranger	PARKINSON Corey	1.2.5; 1.2.6; 1.2.7; 2.1.1; 2.1.3; 2.1.4; 2.1.5; 2.1.6; 2.1.7; 5.1.1
Senior Rates Officer	WILSON Natalie	1.2.23;
Team Leader Customer Services	LUFF Janet	1.2.19
Waste Minimisation Officer	WRIGHT Carey	2.1.7



## Glossary of Amendments from 4 June 2020:

ALL	Annual Review Annual Review (Includes Policy Number and Title Changes)	26.11.2019 24.11.2020
1.2.10	1. CEO Conditions on Delegation updated with new Condition 1 – other Conditions renumbered accordingly.	25.02.2020
1.2.12	1. CEO Conditions on Delegation updated with new Condition 1 – other Conditions renumbered accordingly.	25.02.2020
1.2.13	1. New Item 3 added. 2. Notice of Motion – Cr Timmermanis – Council 25 August 2020 – Report 12.2 – Amendment of Delegated Authorities. 3. Control Panel updated.	25.08.2020
1.2.17	1. Express Power of Duty Delegated: Reg 11(2) added. 2. Function Delegated: Functions 9 and 10 added. 3. Control Panel updated.	25.06.2020
1.2.19	1. Sub Delegate(s): Deleted Senior Supervisors (x2) and added WGC Superintendent to reflect correct position titles and authority. 2. Approval values amended by CEO: 2.1 <i>Director Planning and Development and Manager Finance increased from \$50,000 to \$100,000; and</i> 2.2 <i>All Managers increased from \$25,000 to \$50,000.</i> 2.3 <i>Existing Level 4 removed, remaining Levels renumbered 4 and 5 respectively.</i> 2. Control Panel updated.	04.06.2020  12.11.2020
1.2.20	1. Express Power or Duty Delegated: s6.12 – Power to vary fee schedule added. 2. Function Delegated: Functions 3 and 4 added. 3. Council Conditions on Delegation – Items 1 and 2 amended to permit the waiving of minor rate or service charges. Approved by CEO Friday, 14 August 2020. 4. Control Panel updated.	25.06.2020  14.08.2020
1.2.23	1. CEO indicated changes to be made – however no change. 2. Control Panel updated.	25.06.2020
1.2.34	1. CEO Conditions on this Sub Delegation: Clause 5 added. 2. CEO amended Authority to Approve a Contract to \$100,000 from \$50,000. 3. Control Panel updated.	05.06.2020  12.11.2020
1.3.4	1. CEO Conditions on Delegation updated with new Condition 1 – other Conditions renumbered accordingly.	25.02.2020
12.1.4	1. Function Delegated amended – new Function 10 added. Council – Report DV20.131.	27.10.2020
12.2.1	1. Inclusion of new Item 4 – Authority to endorse guiding principles during the preparation of Local Planning Scheme No 2. 2. Council Resolution DV20.100 – New Local Planning Scheme – Change to Register of Delegated Authority 25 August 2020. 3. Control Panel updated.	25.08.2020



Town of  
**Cambridge**

**COMMUNITY AND RESOURCES  
COMMITTEE MEETING**

**MONDAY 16 NOVEMBER 2020**

**ATTACHMENT 1 OF 2  
TO ITEM CR20.149**

**DRAFT LOCAL GOVERNMENT (MODEL CODE OF  
CONDUCT) REGULATIONS 2020**

# Local Government (Model Code of Conduct) Regulations 2020

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## **Local Government (Model Code of Conduct) Regulations 2020**

Made by the Governor in Executive Council.

### **Part 1 — Preliminary**

#### **1. Citation**

These regulations are the *Local Government (Model Code of Conduct) Regulations 2020*.

#### **2. Commencement**

These regulations come into operation as follows —

- (a) Part 1 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day on which the *Local Government Legislation Amendment Act 2019* sections 48 to 51 come into operation.

## **Part 2 — Model code of conduct**

### **3. Model code of conduct (Act s. 5.103(1))**

The model code of conduct for council members, committee members and candidates is set out in Schedule 1.

Consultation Draft

## **Part 3 — Repeal and consequential amendments**

### **Division 1 — Repeal**

**4. *Local Government (Rules of Conduct) Regulations 2007*  
repealed**

The *Local Government (Rules of Conduct) Regulations 2007* are repealed.

### **Division 2 — Other regulations amended**

**5. *Local Government (Administration) Regulations 1996*  
amended**

- (1) This regulation amends the *Local Government (Administration) Regulations 1996*.
- (2) Delete regulation 29(1)(baa).
- (3) After regulation 34C insert:

## **Part 9A — Minor breaches by council members**

**34D. *Contravention of local law as to conduct*  
(Act s. 5.105(1)(b))**

- (1) In this regulation —  
*local law as to conduct* means a local law relating to the conduct of people at council or committee meetings.
- (2) The contravention of a local law as to conduct is a minor breach for the purposes of section 5.105(1)(b) of the Act.

**Local Government (Model Code of Conduct) Regulations 2020**

**Part 3** Repeal and consequential amendments

**Division 2** Other regulations amended

**r. 6**

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**6. Local Government (Audit) Regulations 1996 amended**

- (1) This regulation amends the *Local Government (Audit) Regulations 1996*.
- (2) In regulation 13 in the Table:
  - (a) under the heading “**Local Government Act 1995**” delete “s. 5.103” and insert:  
  
s. 5.104
  - (b) delete:

<b>Local Government (Rules of Conduct) Regulations 2007</b>		
r. 11		

**7. Local Government (Constitution) Regulations 1998 amended**

- (1) This regulation amends the *Local Government (Constitution) Regulations 1998*.
- (2) In Schedule 1 Form 7 delete “*Local Government (Rules of Conduct) Regulations 2007.*” and insert:

code of conduct adopted by the <sup>3</sup> .....under section 5.104 of the *Local Government Act 1995*.

## **Schedule 1 — Model code of conduct**

[r. 3]

### **Division 1 — Preliminary provisions**

#### **1. Citation**

This is the *[insert name of local government] Code of Conduct for Council Members, Committee Members and Candidates*.

#### **2. Terms used**

- (1) In this code —  
*Act* means the *Local Government Act 1995*;  
*candidate* means a candidate for election as a council member;  
*publish* includes to publish on a social media platform.
- (2) Other terms used in this code that are also used in the Act have the same meaning as they have in the Act, unless the contrary intention appears.

### **Division 2 — General principles**

#### **3. Overview of Division**

This Division sets out general principles to guide the behaviour of council members, committee members and candidates.

#### **4. Personal integrity**

- (1) A council member, committee member or candidate should —
  - (a) act with reasonable care and diligence; and
  - (b) act with honesty and integrity; and
  - (c) act lawfully; and
  - (d) identify and appropriately manage any conflict of interest, including by the refusal of gifts that may give the appearance of a conflict of interest or an attempt to corruptly influence behaviour; and
  - (e) avoid damage to the reputation of the local government.

- (2) A council member or committee member should —
- (a) act in accordance with the trust placed in council members and committee members; and
  - (b) participate in decision-making in an honest, fair, impartial and timely manner; and
  - (c) actively seek out and engage in training and development opportunities to improve the performance of their role; and
  - (d) attend and participate in briefings, workshops and training sessions provided or arranged by the local government in relation to the performance of their role.

**5. Relationships with others**

- (1) A council member, committee member or candidate should —
- (a) treat others with respect, courtesy and fairness; and
  - (b) respect and value diversity in the community.
- (2) A council member or committee member should maintain and contribute to a harmonious, safe and productive work environment.

**6. Accountability**

A council member or committee member should —

- (a) base decisions on relevant and factually correct information; and
- (b) make decisions on merit, in the public interest and in accordance with statutory obligations and principles of good governance and procedural fairness; and
- (c) read all agenda papers given to them in relation to council or committee meetings; and
- (d) be open and accountable to the public and represent all constituents.

### **Division 3 — Behaviour**

#### **7. Overview of Division**

This Division sets out —

- (a) requirements relating to the behaviour of council members, committee members and candidates; and
- (b) the mechanism for dealing with alleged breaches of those requirements.

#### **8. Personal integrity**

(1) A council member, committee member or candidate —

- (a) must ensure that their use of social media and other forms of communication complies with this code; and
- (b) must only publish material that is factually correct.

(2) A council member or committee member —

- (a) must not be impaired by alcohol or drugs in the performance of their official duties; and
- (b) must comply with all policies, procedures and resolutions of the local government.

#### **9. Relationships with others**

A council member, committee member or candidate —

- (a) must not bully or harass another person in any way; and
- (b) must deal with the media in a positive, informative and appropriate manner and in accordance with any relevant policy of the local government; and
- (c) must not use offensive or derogatory language when referring to another person; and
- (d) must not disparage the character of another council member, committee member or candidate or a local government employee in connection with the performance of their official duties; and
- (e) must not impute dishonest or unethical motives to another council member, committee member or candidate or a local

government employee in connection with the performance of their official duties; and

- (f) when attending a council or committee meeting —
  - (i) must not act in an abusive or threatening manner towards another person; and
  - (ii) must not make a statement that the member or candidate knows, or could reasonably be expected to know, is false or misleading; and
  - (iii) must not repeatedly disrupt the meeting; and
  - (iv) must comply with any requirements of a local law of the local government relating to the procedures and conduct of council or committee meetings; and
  - (v) must comply with any direction given by the person presiding at the meeting; and
  - (vi) must immediately cease to engage in any conduct that has been ruled out of order by the person presiding at the meeting;

and

- (g) must direct to the CEO any request for a query or complaint to be dealt with, or other work or action to be undertaken, by a local government employee.

**10. Complaints about alleged breach**

- (1) A person may make a complaint, in accordance with subclause (2), alleging a breach of a requirement set out in this Division.
- (2) A complaint must be made —
  - (a) in writing in the form approved by the local government; and
  - (b) to a person authorised under subclause (3); and
  - (c) within 1 month after the occurrence of the alleged breach.
- (3) The local government must, in writing, authorise 1 or more persons to receive complaints made under subclause (1).

**11. Local government to deal with complaints**

- (1) After considering a complaint, the local government must, unless it dismisses the complaint under subclause (2), make a finding as to whether the alleged breach the subject of the complaint has occurred.
- (2) The local government must dismiss the complaint if it is satisfied that —
  - (a) the behaviour to which the complaint relates occurred at a council or committee meeting; and
  - (b) either —
    - (i) the behaviour was dealt with by the person presiding at the meeting; or
    - (ii) the person responsible for the behaviour has taken remedial action in accordance with a local law of the local government that deals with meeting procedures.
- (3) Before making a finding in relation to the complaint, the local government must give the person to whom the complaint relates a reasonable opportunity to be heard.
- (4) A finding that the alleged breach has occurred must be based on evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur.
- (5) If the local government makes a finding that the alleged breach has occurred, the local government may —
  - (a) decide to take no further action; or
  - (b) in consultation with the person to whom the complaint relates, develop and implement a plan to address the person's behaviour.
- (6) A plan under subclause (5)(b) may include requirements for the person to participate in training, mediation or counselling or to take any other action the local government considers appropriate.
- (7) The local government must give written notice to the complainant and to the person to whom the complaint relates of —
  - (a) its finding in relation to the complaint under subclause (1) or its decision to dismiss the complaint under subclause (2); and
  - (b) its reasons for the finding or decision.

**12. Other provisions about complaints**

- (1) A complaint made under clause 10(1) about an alleged breach by a candidate cannot be dealt with by the local government unless the candidate has been elected as a council member.
- (2) The procedure for dealing with complaints made under clause 10(1) may be determined by the local government to the extent that it is not provided for in clause 11.

**Division 4 — Rules of conduct**

**13. Overview of Division**

- (1) This Division sets out rules of conduct for council members and candidates.
- (2) A reference in this Division to a council member includes a council member when acting as a committee member.

**14. Misuse of local government resources**

- (1) In this clause —  
*electoral purpose* means the purpose of persuading electors to vote in a particular way at an election, referendum or other poll held under the Act, the *Electoral Act 1907* or the *Commonwealth Electoral Act 1918*;  
*resources of a local government* includes —
  - (a) local government property; and
  - (b) services provided, or paid for, by a local government.
- (2) A council member must not, directly or indirectly, use the resources of a local government for an electoral purpose or other purpose unless authorised under the Act, or by the local government or the CEO, to use the resources for that purpose.

**15. Securing personal advantage or disadvantaging others**

- (1) A council member must not make improper use of their office —
  - (a) to gain, directly or indirectly, an advantage for the council member or any other person; or

(b) to cause detriment to the local government or any other person.

(2) Subclause (1) does not apply to conduct that contravenes section 5.93 of the Act or *The Criminal Code* section 83.

**16. Prohibition against involvement in administration**

(1) A council member must not undertake a task that contributes to the administration of the local government.

(2) Subclause (1) does not apply to anything that a council member does as part of the deliberations at a council or committee meeting.

**17. Relations with local government employees**

(1) In this clause —

*local government employee* means a person —

(a) employed by a local government under section 5.36(1) of the Act; or

(b) engaged by a local government under a contract for services.

(2) A council member or candidate must not —

(a) direct or attempt to direct a local government employee to do or not to do anything in their capacity as a local government employee; or

(b) attempt to influence, by means of a threat or the promise of a reward, the conduct of a local government employee in their capacity as a local government employee; or

(c) act in an abusive or threatening manner towards a local government employee.

(3) Subclause (2)(a) does not apply to anything that a council member does as part of the deliberations at a council or committee meeting.

(4) If a council member or candidate, in their capacity as a council member or candidate, is attending a council or committee meeting or other organised event at which members of the public are present, the council member or candidate must not orally, in writing or by any other means —

- (a) make a statement that a local government employee is incompetent or dishonest; or
  - (b) use an offensive or objectionable expression when referring to a local government employee.
- (5) Subclause (4)(a) does not apply to conduct that is unlawful under *The Criminal Code* Chapter XXXV.

**18. Disclosure of information**

- (1) In this clause —
- closed meeting** means a council or committee meeting, or a part of a council or committee meeting, that is closed to members of the public under section 5.23(2) of the Act;
- confidential document** means a document marked by the CEO, or by a person authorised by the CEO, to clearly show that the information in the document is not to be disclosed;
- document** includes a part of a document;
- non-confidential document** means a document that is not a confidential document.
- (2) A council member must not disclose information that the council member —
- (a) derived from a confidential document; or
  - (b) acquired at a closed meeting other than information derived from a non-confidential document.
- (3) Subclause (2) does not prevent a council member from disclosing information —
- (a) at a closed meeting; or
  - (b) to the extent specified by the council and subject to such other conditions as the council determines; or
  - (c) that is already in the public domain; or
  - (d) to an officer of the Department; or
  - (e) to the Minister; or
  - (f) to a legal practitioner for the purpose of obtaining legal advice; or
  - (g) if the disclosure is required or permitted by law.

**19. Disclosure of interests**

- (1) In this clause —  
*interest* means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.
- (2) A council member who has an interest in any matter to be discussed at a council or committee meeting attended by the council member must disclose the nature of the interest —
- (a) in a written notice given to the CEO before the meeting; or
  - (b) at the meeting immediately before the matter is discussed.
- (3) Subclause (2) does not apply to an interest referred to in section 5.60 of the Act.
- (4) Subclause (2) does not apply if a council member fails to disclose an interest because the council member did not know —
- (a) that they had an interest in the matter; or
  - (b) that the matter in which they had an interest would be discussed at the meeting and the council member disclosed the interest as soon as possible after the discussion began.
- (5) If, under subclause (2)(a), a council member discloses an interest in a written notice given to the CEO before a meeting, then —
- (a) before the meeting the CEO must cause the notice to be given to the person who is to preside at the meeting; and
  - (b) at the meeting the person presiding must bring the notice and its contents to the attention of the persons present immediately before any matter to which the disclosure relates is discussed.
- (6) Subclause (7) applies in relation to an interest if—
- (a) under subclause (2)(b) or (4)(b) the interest is disclosed at a meeting; or
  - (b) under subclause (5)(b) notice of the interest is brought to the attention of the persons present at a meeting.

- (7) The nature of the interest must be recorded in the minutes of the meeting.

Clerk of the Executive Council

Consultation Draft



Town of  
**Cambridge**

**COMMUNITY AND RESOURCES  
COMMITTEE MEETING**

**MONDAY 16 NOVEMBER 2020**

**ATTACHMENT 2 OF 2  
TO ITEM CR20.149**

**WALGA INFO PAGE**

# INFOPAGE

To: All Local Governments

From: Tony Brown  
Executive Manager Governance &  
Organisational Services

Date: 6 November 2020

Priority: High

Subject: Draft *Local Government (Code of Conduct) Regulations 2020 – Mandatory Code of Conduct for council members, committee members and candidates*



Operational Area:	<b>Governance</b>
Key Issues:	<ul style="list-style-type: none"><li>• Amendments to the <i>Local Government Act 1995</i> to provide for a mandatory code of conduct for council members, committee members and candidates were passed in 2019 but are yet to come into effect.</li><li>• Consultation on draft <i>Local Government (Model Code of Conduct) Regulations 2020</i> prescribing the proposed code of conduct is open until Sunday 6 December.</li><li>• Local Governments are requested to provide a response to WALGA by 13 November.</li></ul>
Action:	<b>Council Decision required (if possible) Feedback Requested – 13 November 2020</b>

## Background

The *Local Government Legislation Amendment Act 2019* introduced numerous amendments to the *Local Government Act 1995*, including a requirement for Local Governments to adopt a mandatory Code of Conduct for council members, committee members and candidates that is yet to take effect.

In 2019 the Department of Local Government, Sport and Cultural Industries invited WALGA and other parties to participate in the Mandatory Code of Conduct Working Group. The Department discontinued the Working Group and released a Consultation Paper without endorsement by the Working Group in September 2019.

At the WALGA State Council meeting held in December 2019, based on sector feedback, State Council resolved to request that the Working Group be reconvened to develop an endorsed mandatory Code of Conduct for further sector consultation. State Council also identified several concerns with the proposals in the Consultation Paper.

Throughout 2020, WALGA sought advice from the Department on the progress of draft regulations and a sector consultation process. The Department has now released the draft *Local Government (Model Code of Conduct) Regulations 2020* (Draft Regulations), to prescribe the mandatory Code of Conduct, together with Explanatory Notes. Both documents are available via the [Department's website](#). Consultation will close on Sunday 6 December.

WALGA notes that the Working Group was not reconvened, and the Draft Regulations include several elements that were highlighted as matters of concern by the sector.

Among concerns previously noted is the requirement for Local Governments to determine behavioural breach allegations specified in Division 3 of the Draft Regulations. The administrative process for dealing with breach allegations is unspecified and the option to use external consultants so that impartial and procedurally fair outcomes can be achieved will prove costly, particularly where numerous allegations arise. It is also open for 'any person' to make a complaint which may in extreme circumstances lead to a proliferation of complaints.

# INFOPAGE



WALGA is seeking to coordinate a sector response and seeks feedback from Member Local Governments on the Draft Regulation. Please provide any comments by **4pm Friday 13<sup>th</sup> November 2020** to [governance@walga.asn.au](mailto:governance@walga.asn.au) to enable an agenda item to be prepared for the November/December round of Zone and State Council meetings.

**For further information please contact:**

Executive Manager Governance & Organisational Services, Tony Brown  
on 9213 2051 or email [tbrown@walga.asn.au](mailto:tbrown@walga.asn.au) or Manager Governance, James McGovern on 9213 2093  
or email [jmcgovern@walga.asn.au](mailto:jmcgovern@walga.asn.au)



Town of  
**Cambridge**

**COMMUNITY AND RESOURCES  
COMMITTEE MEETING**

**MONDAY 16 NOVEMBER 2020**

**ATTACHMENT 1 OF 3  
TO ITEM CR20.150**

**TOWN OF CAMBRIDGE SUBMISSION**

**ATTACHMENT 1**

**LOCAL GOVERNMENT (ADMINISTRATION) AMENDMENT REGULATIONS (No.2) 2020 – EXPLANATORY NOTES**

These regulations will bring into effect **section 22** of the *Local Government Legislation Amendment Act 2019*.

In particular, the following will take effect: sections 5.39A, 5.39B & 5.39C.

<b>Section in Amendment Act</b>	<b>Section in LG Act</b>	<b>Topic</b>	<b>Town of Cambridge Position</b>
<b>Section 22</b>	<b>5.39A 5.39B 5.39C</b>	Model standards for CEO recruitment, performance and termination. Adoption of Model Standards Policy for temporary employment or appointment of CEO.	
<b>Regulation</b>	<b>Amends</b>	<b>Explanation</b>	
Regulation 18A – Vacancy in position of CEO or senior employee to be advertised (Act s.5.36(4) and 5.37(3))	18A <i>Local Government (Administration) Regulations 1996</i>	Regulation 18A(1) is being amended to align with the new State-wide public notice provisions. If the position of CEO, or of a senior employee, becomes vacant the local government must give State-wide public notice of the position in accordance with the requirements of the Local Government Act (sections 5.36(4) and 5.37(3)).  Regulation 18A(2)(da) provides that the State-wide public notice must include a website address where the job description form (JDF) for the position can be accessed.	Support
Regulation 18C – Selection and appointment process for CEOs.	18C <i>Local Government (Administration)</i>	Regulation 18C is being repealed. The prescribed model standards for CEO recruitment and appointment outlined at Division 2 (Clauses 3-14) of the <i>Local Government (Administration) Amendment Regulations 2020</i> replace 18C.	Support

	<p><i>Regulations 1996 – Repealed</i></p>	<p>Local governments are required to determine the selection criteria for the position of CEO prior to a recruitment process being undertaken. The local government must approve by a resolution of an absolute majority of council, a job description form which sets out the duties and responsibilities of the position (5(2)(a)) and details the selection criteria (5(2)(b)).</p> <p>A position vacancy must be advertised in accordance with 5.36(4) of the <i>Local Government Act</i> and 18A of the <i>Local Government (Administration) Regulations 1996</i>. A JDF form must also be made available on the local government's official website.</p> <p>As part of the process of selection, a panel must be established to conduct the recruitment and selection process. The selection panel must be made up of council members and at least one independent person who is not a current councillor or employee of the local government. The independent person should have experience in the recruitment and selection of CEO's and / or senior executives. It is the role of the selection panel to recommend one or more suitable applicants to the position of CEO based on the selection criteria outlined in the JDF.</p> <p>A final decision to make an offer of appointment to the position of CEO must be made by an absolute majority of council. The resolution must also approve the proposed terms of the contract.</p> <p>Appointment of the successful applicant to CEO must also be made by an absolute majority decision of council after negotiation of the final contract terms between the successful applicant and the local government and following the applicant's acceptance of the offer.</p>	
<p>Regulation 18D – Performance review of CEO, local government's duties as to</p>	<p><i>Local Government (Administration) Regulations 1996 - 18D Repealed</i></p>	<p>Regulation 18D is being repealed. The prescribed model standards for performance review outlined at Division 3 of the of the <i>Local Government (Administration) Amendment Regulations 2020</i> (clauses 15-19) replace 18D.</p>	<p>Support</p>

		<p>Local governments are required to review the performance of a CEO annually in accordance with section 5.38 of the Act. Division 3 sets out the process for performance review, including establishing the performance criteria upon which to base the review and the requirement to endorse the performance review by absolute majority on its completion.</p> <p>The CEO must be notified of the results of the performance review, including any issues identified in relation to the performance of the CEO, and how the local government proposes to address and manage those issues.</p>	
Regulation FA – Prescribed model standards for CEO recruitment, performance and termination (Act s.5.39A(1)).	<i>Local Government (Administration) Regulations 1996</i> – 18FA is a <b>new clause</b> .	Regulation 18FA sets out the model standards for local governments in relation to the recruitment, performance review and termination of employment of a local government CEO.	Support
Regulation 18FB – Certification of compliance with adopted standards for CEO recruitment (Act s.5.39B(7))	<i>Local Government (Administration) Regulations 1996</i> – 18FB is a <b>new clause</b> .	<p>Regulation 18FB requires local governments to certify that they have adopted the standards under section 5.39B of the Act. 18FB applies in relation to the recruitment and appointment of a local government CEO.</p> <p>A copy of the resolution to appoint the CEO in accordance with the adopted standards must be provided to the Department of Local Government, Sport and Cultural Industries within 14 days of the decision to appoint.</p>	<b>Not Support</b>
Regulation 18FC – Certification of compliance with adopted standards for	<i>Local Government (Administration) Regulations 1996</i> – 18FC is a <b>new clause</b>	Regulation FC requires a local government to certify that they have adopted the standards under section 5.39B of the Act. 18FC applies in relation to the termination of a CEO's employment contract.	<b>Not Support</b>

CEO termination (Act s.5.39B(7)).		If a local government makes the decision to terminate the employment of the CEO, it must certify that the CEO's employment contract was terminated in accordance with the adopted standards for termination as outlined in regulations.	
<p><b>Division 2 – Standards for recruitment of CEOs</b></p> <p>Regulation 4 – Application of Division</p>	<p><i>Local Government (Administration) Regulations 1996 – Reg 4 replaces 18C.</i></p>	<p>Regulation 18C of the <i>Local Government (Administration) Regulations 1996</i> is repealed. Instead, Regulation 4 applies in relation to Division 2 - the recruitment and selection process of a local government CEO.</p> <p>Division 2 does not apply in the event that the position of CEO is to be filled by a person in a prescribed class or in relation to the renewal of the CEO's contract, unless the CEO has been employed for a period of 10 or more consecutive years and a period of 10 or more years has elapsed since a selection and recruitment process was carried out</p> <p>For the purposes of 5.36(5)(a), a person in a prescribed class includes a person who is and will continue to be employed by another local government and is contracted for a period of less than five years, or the person will be acting in the position of CEO for a period of less than one year.</p>	Support
Regulation 5 – Determination of selection criteria and approval of job description form.	<p><i>Local Government (Administration) Regulations 1996 – Reg 5 is a <b>new clause.</b></i></p>	<p>Regulation 5 deals with determining the selection criteria for the position of CEO. It is a requirement that the local government base the selection criteria on the necessary skills, knowledge, experience and qualifications necessary to effectively perform the role and responsibilities associated with the position.</p> <p>The local government must approve (by absolute majority) a job description form (JDF) that sets out the duties and responsibilities of the position and the selection criteria.</p>	Support

Regulation 6 – Advertising Requirements	<i>Local Government (Administration) Regulations 1996</i> – Reg 6 is a <b>new clause</b> .	Regulation 6 deals with advertising the position of CEO where the position becomes vacant or the incumbent has held the position for 10 or more consecutive years. It is a requirement of the Local Government Act (s 5.36(4)) that upon the position of CEO becoming vacant, it must be advertised in a manner prescribed. Regulation 18A of the <i>Local Government (Administration) Regulations 1996</i> sets out the requirements for State-wide advertising.	<b>Not Support</b>
Regulation 7 – Job description form to be made available by local government.	<i>Local Government (Administration) Regulations 1996</i> – Reg 7 is a <b>new clause</b> .	Regulation 7 requires a local government to provide a copy of the JDF to a person upon request. The local government must either provide the web address where the JDF can be downloaded or alternatively if the person is unable to access the website, email a copy, or send a hard copy in the post.	Support
Regulation 8 – Establishment of selection panel for appointment of CEO.	<i>Local Government (Administration) Regulations 1996</i> – Reg 8 is a <b>new clause</b> .	<p>Regulation 8 requires a local government to establish a selection panel to conduct the selection and recruitment process for appointment of a person to the position of CEO.</p> <p>The selection panel must comprise of council members and at least one independent person who is not a councillor nor an employee of the local government.</p> <p>It is recommended that the independent person or persons have relevant experience in the recruitment and selection of CEO's and / or senior executives. It is the role of the selection panel to recommend one or more suitable applicants to the position of CEO based on the selection criteria outlined in the JDF.</p> <p>It is at the discretion of the local government to determine the number of people on the selection panel.</p>	<b>Not Support</b>
			Support

<p>Regulation 9 – Recommendation by selection panel.</p>	<p><i>Local Government (Administration) Regulations 1996</i> – Reg 9 is a <b>new clause</b>.</p>	<p>It is the role of the selection panel to recommend a preferred applicant or applicants for appointment to the position of CEO. Regulation 9 requires the selection panel to make an assessment of each applicant’s ability to perform the role of CEO based on their knowledge, experience, qualifications and skills as measured against the selection criteria outlined in the JDF.</p> <p>If the selection panel considers none of the applicants suitable for appointment to the position, they must advise the local government of that fact.</p> <p>If the selection panel considers none of the applicants suitable for appointment to the position of CEO, they may recommend changes be made to the duties and responsibilities of the position or the selection criteria.</p> <p>The selection panel must act in an impartial and transparent manner and in accordance with the principles set out in section 5.40 of the Act.</p> <p>The selection panel is responsible for ensuring that any applicant or applicants they recommend for appointment have demonstrated they meet the selection criteria and have had their qualifications verified. The selection panel must exercise due diligence in verifying referees, work history, skills and any other claims made by the applicant.</p>	
<p>Regulation 10 – New process to be commenced if no suitable applicants.</p>	<p><i>Local Government (Administration) Regulations 1996</i> – Reg 10 is a <b>new clause</b>.</p>	<p>If the selection panel finds that none of the applicants are suitable to be appointed to the position of CEO, they must advise the local government in accordance with 9(2)(b).</p> <p>Regulation 10 requires the recruitment and selection process to be undertaken again if the selection panel advises the local government it considers none of the applicants to be suitable for appointment to the position of CEO.</p>	<p>Support</p>

		Unless the selection panel recommends changes be made to the duties and responsibilities of the position or the selection criteria, clause 5 does not apply. In this instance, the original JDF previously approved by the local government (under clause 5) is the JDF form for the purposes of the new recruitment and selection process.	
Regulation 11 – Offer of appointment to position of CEO.	<i>Local Government (Administration) Regulations 1996</i> – Reg 11 is a <b>new clause</b> .	Regulation 11 requires the decision to make an offer of employment to an applicant to the position of CEO to be made by an absolute majority of council.  The council must approve making the offer of employment to the preferred applicant and the proposed terms of the contract to be entered into.	Support
Regulation 12 – Appointment to position of CEO	<i>Local Government (Administration) Regulations 1996</i> – Reg 12 is a <b>new clause</b> .	Regulation 12 deals with the appointment of the successful applicant to the position of CEO subsequent to the offer of appointment having been made, the final terms of the contract agreed to and the applicant accepting the offer of employment.  The appointment of the successful applicant to the position of CEO by the local government must be made by an absolute majority of council. Council must endorse the appointment and approve the terms of the negotiated contract.	Support
Regulation 13 – Recruitment to be undertaken on expiry of certain CEO contracts.	<i>Local Government (Administration) Regulations 1996</i> – Reg 13 is a <b>new clause</b> .	Regulation 13 applies if a local government CEO has held the position for a period of 10 or more consecutive years upon expiry of the CEO's contract. Regulation 13 also applies if a period of 10 or more consecutive years has elapsed since a recruitment and selection process for the position has occurred and the incumbent CEO has notified the local government that they wish to have their contract of employment renewed upon its expiry.	<b>Not Support</b>

		<p>Subclause 13(2)(a)(ii) is drafted to allow for the possibility that a CEO who has, for example, held office for 10 years and has their contract renewed for another 5-year term following the recruitment and selection process. In that case, clause 13(2)(a)(ii) will operate to ensure that another 10 years can pass before another recruitment process is required. In the absence of clause 13(2)(a)(ii), when the renewed term came to an end, the CEO would have held the position for 15 consecutive years and clause 13(2)(a)(i) would operate to require a process to be undertaken.</p> <p>The local government must carry out the recruitment and selection process before expiry of the incumbent CEO's contract.</p> <p>The incumbent CEO may have their contract of employment renewed upon expiry if they are selected in accordance with the recruitment and selection process at subclause (3).</p>	
Regulation 14 – Confidentiality of information	<i>Local Government (Administration) Regulations 1996</i> – Reg 14 is a <b>new clause</b> .	Regulation 14 requires confidentiality to be observed by the local government as part of the process of recruitment and selection. Information obtained as part of this process must only be used for, or in connection with, recruitment and selection.	Support
<b>Division 3 – Standards for review of performance of CEOs</b>  Regulation 15 sets out the standards to be observed by the local government in relation to the review of the performance of CEOs.	<i>Local Government (Administration) Regulations 1996</i> – Reg 15 replaces regulation 18D which is repealed.	Regulation 18D is repealed. Division 3 effectively deals with the requirement to consider the performance review of the CEO in accordance with section 5.38 of the Act.	Support
Regulation 16 – Performance review	<i>Local Government (Administration)</i>	Regulation 16 requires the local government and the CEO to agree on the process for performance review and any performance criteria that are	Support

<p>process to be agreed between local government and CEO.</p>	<p><i>Regulations 1996</i> – Reg 16 is a <b>new clause</b>.</p>	<p>additional to those specified in the contract. For example, the local government and the CEO may wish to include additional performance criteria after 1 or 2 years into a contract term as circumstances and priorities change.</p> <p>The process for performance review must be consistent with clauses 17 (Carrying out a performance review), 18 (Endorsement of the performance review) and 19 (CEO to be notified of the results of the performance review).</p> <p>The process for performance review and the selection criteria upon which the review will be based must be set out in a written document.</p>	
<p>Regulation 17 – Carrying out a performance review</p>	<p><i>Local Government (Administration) Regulations 1996</i> – Reg 17 is a <b>new clause</b></p>	<p>Regulation 17 deals with how a review of a CEO's performance must be carried out. A performance review must be carried out in an impartial and transparent manner. It must also be comprehensive, and evidence based. The CEO's performance must be measured against the performance criteria as specified in the CEO's contract and any other performance criteria as agreed and set out in the documented performance review process.</p>	<p>Support</p>
<p>Regulation 18 – Endorsement of performance review by local government</p>	<p><i>Local Government (Administration) Regulations 1996</i> – Reg 18 is a <b>new clause</b></p>	<p>Regulation 18 requires that a performance review is endorsed by an absolute majority of council upon completion.</p>	<p>Support</p>
<p>Regulation 19 – CEO to be notified of results of performance review</p>	<p><i>Local Government (Administration) Regulations 1996</i> – Reg 19 is a <b>new clause</b></p>	<p>Regulation 19(a) requires a local government to notify the CEO of the results of the performance review in writing. If the review identifies any performance issues, the local government must outline how it proposes to address and manage those issues.</p>	<p>Support</p>

		The local government must notify the CEO of the results of the performance review after it has been endorsed by an absolute majority of council.	
<p><b>Division 4 – Standards for termination of employment of CEOs.</b></p> <p>Regulation 20 – sets out the standards to be observed by the local government in relation to the termination of the employment of CEOs.</p>	<p><i>Local Government (Administration) Regulations 1996 – Reg 20 is a <b>new clause</b></i></p>	<p>Regulation 20 provides an overview of Division 4 – Standards for termination of employment of CEOs.</p>	<p>Support</p>
<p>Regulation 21 – General principles applying to any termination.</p>	<p><i>Local Government (Administration) Regulations 1996 – Reg 21 is a <b>new clause</b></i></p>	<p>Regulation 21 outlines the general principles that must apply to any termination of a CEO's employment contract. Decisions relating to termination of employment must be made in an impartial and transparent manner.</p> <p>A CEO must be afforded procedural fairness in relation to the process for termination of employment. This includes:</p> <ul style="list-style-type: none"> <li>a) being informed of their rights, entitlements and responsibilities;</li> <li>b) notification of any allegations against the CEO;</li> <li>c) being given a reasonable opportunity to respond to the allegations;</li> <li>d) and genuinely considering any response provided by the CEO to the allegations.</li> </ul>	<p>Support</p>
<p>Regulation 22 – Additional principles applying to termination for performance related reasons.</p>	<p><i>Local Government (Administration) Regulations 1996 – Reg 22 is a <b>new clause</b></i></p>	<p>Regulation 22(1) applies if the local government proposes to terminate the employment of a CEO based on the CEO's work-related performance.</p>	<p>Support</p>

		<p>Subclauses 22(2)(a)-(d) and 22(3) require that a CEO's employment must not be terminated unless the local government has:</p> <ul style="list-style-type: none"> <li>• previously identified any issues with the CEO's performance as part of the performance review process;</li> <li>• informed the CEO of the performance issues;</li> <li>• given the CEO reasonable opportunity to address and implement a plan to remedy the performance issues;</li> <li>• determined that the CEO has not remedied the performance issues to the satisfaction of the local government; and</li> <li>• 22(3) reviewed the performance of the CEO within the preceding 12 months in accordance with 5.38(1) of the Local Government Act.</li> </ul>	
Regulation 23 – Decision to terminate.	<i>Local Government (Administration) Regulations 1996 – Reg 23 is a new clause</i>	Regulation 23 requires that a decision to terminate the employment of a CEO must be made by an absolute majority of council.	Support
Regulation 24 – Notice of termination of employment.	<i>Local Government (Administration) Regulations 1996 – Reg 24 is a new clause</i>	Regulation 24 requires that a local government must provide notice in writing of the decision to terminate the employment of a CEO. Written notice must include the local government's reasons for termination.	Support



Town of  
**Cambridge**

**COMMUNITY AND RESOURCES  
COMMITTEE MEETING**

**MONDAY 16 NOVEMBER 2020**

**ATTACHMENT 2 OF 3  
TO ITEM CR20.150**

**DRAFT LOCAL GOVERNMENT (ADMINISTRATION)  
AMENDMENT (NO.2) REGULATIONS 2020**

## **Local Government (Administration) Amendment Regulations (No. 2) 2020**

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## **Local Government (Administration) Amendment Regulations (No. 2) 2020**

Made by the Governor in Executive Council.

### **1. Citation**

These regulations are the *Local Government (Administration) Amendment Regulations (No. 2) 2020*.

### **2. Commencement**

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day on which the *Local Government Legislation Amendment Act 2019* section 22 comes into operation.

### **3. Regulations amended**

These regulations amend the *Local Government (Administration) Regulations 1996*.

*[The following text is the Local Government (Administration) Regulations 1996 showing proposed amendments in track changes. A formal amending instrument will be drafted at a later stage.]*

### **Part 1 — Preliminary**

*[There are no amendments to this Part.]*

### **Part 2 — Council and committee meetings**

*[There are no amendments to this Part.]*

r. 18A

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### **Part 3 — Electors' meetings**

*[There are no amendments to this Part.]*

### **Part 4 — Local government employees**

*[Heading inserted: Gazette 26 Aug 2011 p. 3482.]*

#### **18A. Vacancy in position of CEO or senior employee to be advertised (Act s. 5.36(4) and 5.37(3))**

- (1) If a position of CEO, or of a senior employee, of a local government becomes vacant, the local government is to give Statewide public notice of the position ~~advertise the position in a newspaper circulating generally throughout the State~~ unless it is proposed that the position be filled by —
  - (a) a person who is, and will continue to be, employed by another local government and who will fill the position on a contract or contracts for a total period not exceeding 5 years; or
  - (b) a person who will be acting in the position for a term not exceeding one year.
- (2) The Statewide public notice ~~An advertisement referred to in subregulation (1)~~ is to contain —
  - (a) the details of the remuneration and benefits offered; and
  - (b) details of the place where applications for the position are to be submitted; and
  - (c) the date and time for the closing of applications for the position; and
  - (d) the duration of the proposed contract; and
  - (da) a website address where the job description form for the position can be accessed; and
  - (e) contact details for a person who can provide further information about the position; and

- (f) any other information that the local government considers is relevant.

*[Regulation 18A inserted: Gazette 31 Mar 2005 p. 1037-8; amended: Gazette 19 Aug 2005 p. 3872; 3 May 2011 p. 1594.]*

**18B. Contracts of CEOs and senior employees, content of (Act s. 5.39(3)(c))**

For the purposes of section 5.39(3)(c), a contract governing the employment of a person who is a CEO, or a senior employee, of a local government is to provide for a maximum amount of money (or a method of calculating such an amount) to which the person is to be entitled if the contract is terminated before the expiry date, which amount is not to exceed whichever is the lesser of —

- (a) the value of one year's remuneration under the contract; or  
(b) the value of the remuneration that the person would have been entitled to had the contract not been terminated.

*[Regulation 18B inserted: Gazette 13 May 2005 p. 2086.]*

~~**18C. Selection and appointment process for CEOs**~~

~~The local government is to approve a process to be used for the selection and appointment of a CEO for the local government before the position of CEO of the local government is advertised.~~

~~*[Regulation 18C inserted: Gazette 31 Mar 2005 p. 1038.]*~~

~~**18D. Performance review of CEO, local government's duties as to**~~

~~A local government is to consider each review on the performance of the CEO carried out under section 5.38 and is to accept the review, with or without modification, or to reject the review.~~

~~*[Regulation 18D inserted: Gazette 31 Mar 2005 p. 1038.]*~~

**r. 18E**

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**18E. False information in application for CEO position, offence**

A person must not, in connection with an application for the position of CEO of a local government —

- (a) make a statement, or give any information, as to academic, or other tertiary level, qualifications held by the applicant that the person knows is false in a material particular; or
- (b) make a statement, or give any information, as to academic, or other tertiary level, qualifications held by the applicant which is false or misleading in a material particular, with reckless disregard as to whether or not the statement or information is false or misleading in a material particular.

Penalty: a fine of \$5 000.

*[Regulation 18E inserted: Gazette 31 Mar 2005 p. 1038-9; amended: Gazette 19 Aug 2005 p. 3872; 4 Mar 2016 p. 650.]*

**18F. Remuneration and benefits of CEO to be as advertised**

The remuneration and other benefits paid to a CEO on the appointment of the CEO are not to differ from the remuneration and benefits advertised for the position under section 5.36(4).

*[Regulation 18F inserted: Gazette 31 Mar 2005 p. 1039.]*

**18FA. Prescribed model standards for CEO recruitment, performance and termination (Act s. 5.39A(1))**

Schedule 2 sets out model standards for local governments in relation to the following —

- (a) the recruitment of CEOs;
- (b) the review of the performance of CEOs;
- (c) the termination of the employment of CEOs.

**18FB. Certification of compliance with adopted standards for CEO recruitment (Act s. 5.39B(7))**

(1) In this regulation —

*adopted standards* means the standards adopted by a local government under section 5.39B or, if the local government has not adopted standards under that section, the standards taken under section 5.39B(5) to be the local government’s adopted standards.

(2) This regulation applies if —

(a) a local government appoints a person to the position of CEO of the local government; and

(b) the local government’s adopted standards in relation to the recruitment of CEOs apply to the appointment.

(3) At the time of appointing the person to the position of CEO, the local government must, by resolution\*, certify that the person was appointed in accordance with the local government’s adopted standards in relation to the recruitment of CEOs.

\* Absolute majority required.

(4) A copy of the resolution must be given to the Departmental CEO within 14 days after the resolution is passed by the local government.

**18FC. Certification of compliance with adopted standards for CEO termination (Act s. 5.39B(7))**

(1) In this regulation —

*adopted standards* has the meaning given in regulation 18FB(1).

(2) This regulation applies if a local government terminates the employment of the CEO of the local government.

(3) At the time of terminating the CEO’s employment, the local government must, by resolution\*, certify that the CEO was terminated in accordance with the local government’s adopted

**r. 18G**

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standards in relation to the termination of the employment of CEOs.

\* Absolute majority required.

- (4) A copy of the resolution must be given to the Departmental CEO within 14 days after the resolution is passed by the local government.

**18G. Delegations to CEOs, limits on (Act s. 5.43)**

Powers and duties of a local government exercised under the following provisions are prescribed under section 5.43(i) as powers and duties that a local government cannot delegate to a CEO —

- (a) section 7.12A(2), (3)(a) or (4); and
- (b) regulations 18C and 18D.

*[Regulation 18G inserted: Gazette 31 Mar 2005 p. 1039.]*

**19. Delegates to keep certain records (Act s. 5.46(3))**

Where a power or duty has been delegated under the Act to the CEO or to any other local government employee, the person to whom the power or duty has been delegated is to keep a written record of —

- (a) how the person exercised the power or discharged the duty; and
- (b) when the person exercised the power or discharged the duty; and
- (c) the persons or classes of persons, other than council or committee members or employees of the local government, directly affected by the exercise of the power or the discharge of the duty.

**19A. Payments in addition to contract or award, limits of (Act s. 5.50(3))**

- (1) The value of a payment or payments made under section 5.50(1) and (2) to an employee whose employment with a local

government finishes after 1 January 2010 is not to exceed in total —

- (a) the value of the person's final annual remuneration, if the person —
    - (i) accepts voluntary severance by resigning as an employee; and
    - (ii) is not a CEO or a senior employee whose employment is governed by a written contract in accordance with section 5.39;
  - or
  - (b) in all other cases, \$5 000.
- (2) In this regulation —
- final annual remuneration*** in respect of a person, means the value of the annual remuneration paid, or payable, to the person by the local government which employed that person immediately before the person's employment with the local government finished.

*[Regulation 19A inserted: Gazette 31 Mar 2005 p. 1032;  
amended: Gazette 13 Jul 2012 p. 3218.]*

### **Part 5 — Annual reports and planning**

*[There are no amendments to this Part.]*

### **Part 6 — Disclosure of financial interests and gifts**

*[There are no amendments to this Part.]*

### **Part 7 — Access to information**

*[There are no amendments to this Part.]*

### **Part 8 — Local government payments and gifts to members**

*[There are no amendments to this Part.]*

**Part 9 — Codes of conduct for employees**

*[There are no amendments to this Part.]*

**Part 10 — Training**

*[There are no amendments to this Part.]*

Consultation Draft

## Schedule 1 — Forms

[There are no amendments to this Schedule.]

### Schedule 2 — Model standards for CEO recruitment, performance and termination

[r. 18FA]

#### Division 1 — Preliminary provisions

##### **1. Citation**

These are the [insert name of local government] *Standards for CEO Recruitment, Performance and Termination*.

##### **2. Terms used**

(1) In these standards —

*Act* means the *Local Government Act 1995*;

*additional performance criteria* means performance criteria agreed by the local government and the CEO under clause 16(1)(b);

*applicant* means a person who submits an application to the local government for the position of CEO;

*contract of employment* means the written contract, as referred to in section 5.39 of the Act, that governs the employment of the CEO;

*contractual performance criteria* means the performance criteria specified in the CEO's contract of employment as referred to in section 5.39(3)(b) of the Act;

*job description form* means the job description form for the position of CEO approved by the local government under clause [5(2)];

*local government* means the [insert name of local government];

*selection criteria* means the selection criteria for the position of CEO determined by the local government under clause [5(1)] and set out in the job description form;

*selection panel* means the selection panel established by the local government under clause [8] for the appointment of a person to the position of CEO.

- (2) Other terms used in these standards that are also used in the Act have the same meaning as they have in the Act, unless the contrary intention appears.

**Division 2 — Standards for recruitment of CEOs**

**3. Overview of Division**

This Division sets out standards to be observed by the local government in relation to the recruitment of CEOs.

**4. Application of Division**

- (1) Except as provided in subclause (2), this Division applies to any recruitment and selection process carried out by the local government for the appointment of a person to the position of CEO.

- (2) This Division does not apply —

- (a) if it is proposed that the position of CEO be filled by a person in a class prescribed for the purposes of section 5.36(5A) of the Act; or
- (b) in relation to a renewal of the CEO's contract of employment, except in the circumstances referred to in clause [13(2)].

**5. Determination of selection criteria and approval of job description form**

- (1) The local government must determine the selection criteria for the position of CEO, based on the local government's consideration of the knowledge, experience, qualifications and skills necessary to effectively perform the duties and responsibilities of the position of CEO of that particular local government.

- (2) The local government must, by a resolution of an absolute majority of the council, approve a job description form for the position of CEO which sets out —

- (a) the duties and responsibilities of the position; and
- (b) the selection criteria for the position determined in accordance with subclause (1).

**6. Advertising requirements**

- (1) If the position of CEO is vacant, the local government must ensure it complies with section 5.36(4) of the Act and the *Local Government (Administration) Regulations 1996* regulation 18A.
- (2) If clause [13] applies, the local government must advertise the position of CEO in the manner referred to in the *Local Government (Administration) Regulations 1996* regulation 18A as if the position was vacant.

**7. Job description form to be made available by local government**

If a person requests the local government to provide to the person a copy of the job description form, the local government must —

- (a) inform the person of the website address referred to in the *Local Government (Administration) Regulations 1996* regulation 18A(2)(da); or
- (b) if the person advises the local government that the person is unable to access that website address —
- (i) email a copy of the job description form to an email address provided by the person; or
- (ii) mail a copy of the job description form to a postal address provided by the person.

**8. Establishment of selection panel for appointment of CEO**

- (1) The local government must establish a selection panel to conduct the recruitment and selection process for the appointment of a person to the position of CEO.
- (2) The selection panel must comprise —
- (a) council members (the number of which is to be determined by the local government); and
- (b) at least 1 person who is neither a council member nor an employee of the local government.

**9. Recommendation by selection panel**

- (1) The selection panel must assess each applicant's knowledge, experience, qualifications and skills against the selection criteria.

**Local Government (Administration) Amendment Regulations (No. 2) 2020**

**Schedule 2** Model standards for CEO recruitment, performance and termination

**Division 2** Standards for recruitment of CEOs

**cl. 10**

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(2) Following the assessment referred to in subclause (1), the selection panel must —

(a) recommend to the local government one or more applicants who the selection panel considers are suitable for appointment to the position of CEO; or

(b) if the selection panel considers that none of the applicants are suitable for appointment to the position of CEO — advise the local government of that fact.

(3) If the selection panel considers that none of the applicants are suitable for appointment to the position of CEO, the selection panel may recommend to the local government the changes (if any) that the selection panel considers should be made to the duties and responsibilities of the position or the selection criteria.

(4) The selection panel must act under subclauses (1), (2) and (3) —

(a) in an impartial and transparent manner; and

(b) in accordance with the principles set out in section 5.40 of the Act.

(5) The selection panel must not recommend an applicant to the local government under subclause (2)(a) unless the selection panel has —

(a) assessed the applicant as having demonstrated that the applicant's knowledge, experience, qualifications and skills meet the selection criteria; and

(b) verified any academic, or other tertiary level, qualifications the applicant claims to hold; and

(c) whether by contacting referees provided by the applicant or making any other enquiries the selection panel considers appropriate, verified the applicant's character, work history, skills, performance and any other claims made by the applicant.

**10. New process to be commenced if no suitable applicants**

(1) If the selection panel advises the local government under clause [9(2)(b)] that the selection panel considers that none of the applicants are suitable for appointment to the position of CEO, the local government must carry out a new recruitment and selection process for the position in accordance with these standards.

(2) However, unless the local government considers that changes should be made to the duties and responsibilities of the position or the selection criteria —

(a) clause [5] does not apply to the new recruitment and selection process; and

(b) the job description form previously approved by the local government under clause [5] is the job description form for the purposes of the new recruitment and selection process.

**11. Offer of appointment to position of CEO**

(1) Any decision by the local government to make an offer of appointment to the position of CEO to an applicant must be made by a resolution of an absolute majority of the council.

(2) The resolution must approve —

(a) the making of the offer of appointment to the applicant; and

(b) the proposed terms of the contract of employment to be entered into by the local government and the applicant.

**12. Appointment to position of CEO**

(1) In this clause —

*negotiated contract* means the contract of employment referred to in paragraph (b) of the definition of *successful applicant*;

*successful applicant* means an applicant who —

(a) has been made an offer of appointment to the position of CEO under clause [11]; and

(b) has negotiated with the local government the terms of the contract of employment to be entered into by the local government and the applicant; and

(c) following that negotiation, has accepted the offer of appointment.

(2) Any appointment of a successful applicant to the position of CEO by the local government must be made by a resolution of an absolute majority of the council.

(3) The resolution must —

(a) endorse the appointment of the successful applicant to the position of CEO; and

(b) approve the terms of the negotiated contract.

**13. Recruitment to be undertaken on expiry of certain CEO contracts**

(1) In this clause —

*commencement day* means the day on which the *Local Government (Administration) Amendment Regulations (No. 2) 2020* regulation [regulation inserting new r. 18FA] comes into operation.

(2) This clause applies if —

(a) upon the expiry of the contract of employment of the person (the *incumbent CEO*) who holds the position of CEO —

(i) the incumbent CEO will have held the position for a period of 10 or more consecutive years, whether that period commenced before, on or after commencement day; and

(ii) a period of 10 or more consecutive years has elapsed since a recruitment and selection process for the position was carried out, whether that process was carried out before, on or after commencement day;

and

(b) the incumbent CEO has notified the local government that they wish to have their contract of employment renewed upon its expiry.

(3) Before the expiry of the incumbent CEO's contract of employment, the local government must carry out a recruitment and selection process in accordance with these standards to select a person to be appointed to the position of CEO after the expiry of the incumbent CEO's contract of employment.

(4) This clause does not prevent the incumbent CEO's contract of employment from being renewed upon its expiry if the incumbent CEO is selected in the recruitment and selection process referred to in subclause (3) to be appointed to the position of CEO.

**14. Confidentiality of information**

The local government must ensure that information provided to, or obtained by, the local government in the course of a recruitment and selection process for the position of CEO is not disclosed, or made use of, except for the purpose of, or in connection with, that recruitment and selection process.

**Division 3 — Standards for review of performance of CEOs**

**15. Overview of Division**

This Division sets out standards to be observed by the local government in relation to the review of the performance of CEOs.

**16. Performance review process to be agreed between local government and CEO**

(1) The local government and the CEO must agree on —

(a) the process by which the CEO's performance will be reviewed; and

(b) any performance criteria to be met by the CEO that are in addition to the contractual performance criteria.

(2) Without limiting subclause (1), the process agreed under subclause (1)(a) must be consistent with clauses [17], [18] and [19].

(3) The matters referred to in subclause (1) must be set out in a written document.

**17. Carrying out a performance review**

(1) A review of the performance of the CEO by the local government must be carried out in an impartial and transparent manner.

(2) The local government must —

(a) collect evidence regarding the CEO's performance in respect of the contractual performance criteria and any additional performance criteria in a thorough and comprehensive manner; and

- (b) review the CEO's performance against the contractual performance criteria and any additional performance criteria, based on that evidence.

**18. Endorsement of performance review by local government**

Following a review of the performance of the CEO, the local government must, by a resolution of an absolute majority of the council, endorse the review.

**19. CEO to be notified of results of performance review**

After the local government has endorsed a review of the performance of the CEO under clause [18], the local government must inform the CEO in writing of—

- (a) the results of the review; and
- (b) if the review identifies any issues about the performance of the CEO — how the local government proposes to address and manage those issues.

**Division 4 — Standards for termination of employment of CEOs**

**20. Overview of Division**

This Division sets out standards to be observed by the local government in relation to the termination of the employment of CEOs.

**21. General principles applying to any termination**

- (1) The local government must make decisions relating to the termination of the employment of a CEO in an impartial and transparent manner.
- (2) The local government must accord a CEO procedural fairness in relation to the process for the termination of the CEO's employment, including —
- (a) informing the CEO of the CEO's rights, entitlements and responsibilities in relation to the termination process; and
- (b) notifying the CEO of any allegations against the CEO; and
- (c) giving the CEO a reasonable opportunity to respond to the allegations; and

- (d) genuinely considering any response given by the CEO in response to the allegations.

**22. Additional principles applying to termination for performance-related reasons**

- (1) This clause applies if the local government proposes to terminate the employment of a CEO for reasons related to the CEO's performance.

- (2) The local government must not terminate the CEO's employment unless the local government has —

- (a) in the course of carrying out the review of the CEO's performance referred to in subclause (3) or any other review of the CEO's performance, identified any issues (the *performance issues*) related to the performance of the CEO; and

- (b) informed the CEO of the performance issues; and

- (c) given the CEO a reasonable opportunity to address, and implement a plan to remedy, the performance issues; and

- (d) determined that the CEO has not remedied the performance issues to the satisfaction of the local government.

- (3) The local government must not terminate the CEO's employment unless the local government has, within the preceding 12 month period, reviewed the performance of the CEO under section 5.38(1) of the Act.

**23. Decision to terminate**

Any decision by the local government to terminate the employment of a CEO must be made by a resolution of an absolute majority of the council.

**24. Notice of termination of employment**

- (1) If the local government terminates the employment of a CEO, the local government must give the CEO notice in writing of the termination.

- (2) The notice must set out the local government's reasons for terminating the employment of the CEO.

**Local Government (Administration) Amendment Regulations (No. 2) 2020**

**Schedule 2** Model standards for CEO recruitment, performance and termination

**Division 4** Standards for termination of employment of CEOs

**cl. 24**

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Clerk of the Executive Council

Consultation Draft



Town of  
**Cambridge**

**COMMUNITY AND RESOURCES  
COMMITTEE MEETING**

**MONDAY 16 NOVEMBER 2020**

**ATTACHMENT 3 OF 3  
TO ITEM CR20.150**

**WALGA INFO PAGE**

# INFOPAGE

To: All Local Governments

From: Tony Brown  
Executive Manager Governance &  
Organisational Services

Date: 2 November 2020

Priority: High

Subject: **UPDATE:** Draft *Local Government (Administration) Amendment Regulations (No.2) 2020* – Model standards for CEO recruitment, performance and termination



Operational Area:	<b>Governance</b>
Key Issues:	<ul style="list-style-type: none"><li>• Amendments to the <i>Local Government Act 1995</i> to provide for mandatory model standards for CEO recruitment, performance and termination were passed in 2019 but are yet to come into effect.</li><li>• Consultation on draft <i>Local Government (Administration) Amendment Regulations (No.2) 2020</i> prescribing the proposed model standards is open until Friday 13 November.</li><li>• Local Governments are requested to provide a response to WALGA by 13 November.</li></ul>
Action:	<b>Council Consideration Required: Feedback Requested – 13 November 2020</b>

## Background

The *Local Government Legislation Amendment Act 2019* introduced numerous amendments to the *Local Government Act 1995*, including the yet to commence insertion of new sections introducing mandatory Model Standards for CEO recruitment, performance and termination.

In March 2019 the Department of Local Government, Sport and Cultural Industries invited WALGA and other parties to participate in the CEO Recruitment, Performance Review and Termination Working Group to develop Model Standards. The Department discontinued the Working Group in May 2019 and released a Consultation Paper without endorsement by the Working Group in October 2019.

At the WALGA State Council meeting held in December 2019, based on sector feedback, State Council resolved to request that the Working Group be reconvened to develop and endorse Model Standards for further sector consultation, and identified several concerns with the proposals in the Consultation Paper. Throughout 2020, WALGA sought advice from the Department on the progress of draft regulations and a sector consultation process. The Department has now released the draft *Local Government (Administration) Amendment Regulations (No.2) 2020* (Draft Regulations), to prescribe the Model Standards, together with Explanatory Notes. Both documents are available via the [Department's website](#). A short consultation period will close on Sunday 6 December 2020, following WALGA's advocacy for further time to enable Councils to consider this matter.

WALGA notes that the Working Group was not reconvened, and the Draft Regulations include several elements that were highlighted as matters of concern by the sector. Due to the short time frame WALGA provides the following information as our initial concerns;

1. Requirement to re-advertise CEO positions after 10 years of continuous service

Section 5.39(2)(b) of the *Local Government Act* already limits CEO contracts to a maximum of 5 years and Councils have general competence powers to consider whether to renew the incumbent's contract or advertise the position. Suggesting that a Council must re-advertise the position of a CEO after 10 years is likely to prove unworkable or counterproductive in any case as:

- Councils conducting a selection process known to involve an incumbent CEO will risk allegations of non-compliance with Section 5.40 of the Local Government Act *'Principles affecting Local Government employees'* due to actual or perceived bias, nepotism and lack of merit and equity in relation to other applicants;
- May result in CEOs actively seeking alternative employment as the 10 year horizon approaches, meaning that a CEO that has provided satisfactory or perhaps exemplary service will be unnecessarily lost to the local government;
- Where a CEO is re-employed as a consequence of re-advertising after the 10 year period, this process has incurred unnecessary costs and time waste for the LG, distracting from achieving its strategic objectives and may further entrench perceptions that contracts are for life, thus negating the very purpose of this proposal.

Further, Division 3 of the Draft Regulations seeks to improve the capacity of local governments to effectively manage CEO employment. This is a far more appropriate and adapted mechanism to address a perceived issue of 'contracts for life', by ensuring that the performance of CEOs, whether long serving or newly appointed, is appropriately assessed and managed.

## 2. Independent panel member

Clause 8 of the Draft Regulations requires the selection panel to include at least one person who is neither a council member nor an employee of the local government. There is no guidance on the skills, experience or knowledge of the independent person, or their role on the panel. This has the potential to pose significant risk to the local government, as there are inadequate controls on the conduct of such a person (i.e. they will not be captured by a Code of Conduct as Panel is not a committee of Council). WALGA supports the ongoing use of an independent qualified and licensed recruitment consultant to provide guidance (as opposed to active participation) in both the recruitment process and to assist with obligations to finalise the employment of a CEO.

## 3. Transparency and procedural fairness – Schedule 2

The consultation draft emphasised that it is essential that the recruitment process is transparent and appropriately documented. Similar commentary featured in the *Report of the Inquiry into the City of Perth*, however the Draft Regulations fail to address these issues.

The selection panel is 'established' under cl.8 of Schedule 2 of the Draft Regulations, with no reference to the formation of a committee of Council under Sec. 5.8 of the Act. Cl. 9(4) of Schedule 2 includes a reference to the selection panel acting in accordance with the principles of s.5.40 of the Act. Similarly, cl.14 requires the local government to ensure confidentiality of information provided, rather than imposing this responsibility equally on the selection panel, or individual panel members.



If the selection panel were established as a committee in accordance with s.5.8 of the Act, the requirements relating to the calling and convening of meetings, keeping of minutes and agendas, confidentiality, declaration of conflicts of interest and application of the Code of Conduct would apply.

The Draft Regulations will delete current r.18C, requiring a local government to approve a process for the selection and appointment of a CEO. Schedule 2 does not include a similar requirement for the selection panel to follow a process decided upon by the Council. This removes Council from important input in, or oversight of, the process by which the selection panel assesses the candidates and makes recommendations.

4. Council decision making authority

Schedule 2, Cl. 9(2)(a) requires the selection panel to recommend one or more applicants it considers suitable, with Cl. 9(2)(b) requiring that it advise Council if it considers no applicants are suitable. In the second event, Cl. 10 requires the local government to carry out a new recruitment process. Bypassing Council in this decision-making process appears to directly conflict with Sec. 5.36(2) of the Act, where it is the Council that determines if a person is or is not suitably qualified to be employed as CEO.

WALGA is seeking to coordinate a sector response and seeks feedback from Member Local Governments on the Draft Regulation. Please provide any comments by **4pm Friday 13<sup>th</sup> November 2020** to [governance@walga.asn.au](mailto:governance@walga.asn.au).

**For further information please contact:**

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